

# London Luton Airport Expansion

## Buckinghamshire Council Response to The Examining Authority's Written Questions and requests for further information

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## 1 Introduction

### 1.1. Terms of Reference

- 1.1.1. Buckinghamshire Council (the Council) is a neighbouring authority for the London Luton Airport Expansion Development Consent Order (DCO) referred to as 'the Scheme'.
- 1.1.2. This document provides the Council's response to the Examining Authority's (ExA's) Written Questions and requests for further information. The primary focus is on the ExA's requests directed to the Council. However, there are a small number of questions that the Council has commented on in addition to the above.

## 2 Buckinghamshire Council Response to The Examining Authority's Written Questions and requests for further information

### Abbreviations Used

AAR	Airport Access Road
ACoW	Archaeological Clerk of Works
ACP	Airspace Change Process
AEDT	Aviation Environment Design Tool
ANPR	Automatic Number Plate Recognition
ANPS	Airport National Policy Statement: New runway capacity and infrastructure of airports in the South East of England (June 2018)
AONB	Area of Outstanding Natural Beauty
ATM	Air Traffic Movement
BMV	Best and Most Versatile
BoR	Book of Reference [APP-011]
CA	Compulsory Acquisition
CAA	Civil Aviation Authority
CAH1	Compulsory Acquisition Hearing 1 [EV5-001]
CHMP	Cultural Heritage Management Plan [APP-077]
CoCP	Code of Construction Practice [APP-049]
CTMP	Construction Traffic Management Plan [APP-130]
dB	Decibel
DCLG	Department of Communities and Local Government
draft DCO	Draft Development Consent Order [REP2-003]
EIA	Environmental Impact Assessment
EA	Environment Agency
EM	Explanatory Memorandum
ES	Environmental Statement
ESG	Environmental Scrutiny Group
ETS	Employment and Training Strategy [APP-215]

ExA	Examining Authority
FRA	Flood Risk Assessment [AS-046]
GCG	Green Controlled Growth
GHG	Greenhouse Gas
GI	Green Infrastructure
GLVIA3	Guidelines for Landscape and Visual Impact Assessment Third Edition (2013)
GVA	Gross Value Added
ha	Hectare
ICAO	International Civil Aviation Organisation
INM	Integrated Noise Model
ISH	Issue Specific Hearing
ISO	The International Organisation for Standardisation
JSNA	Joint Strategic Needs Assessment
kg/N/ha/yr	Kilograms of nitrogen per hectare per year
km	Kilometres
LAeq	A weighted continuous equivalent sound level
LIR	Local Impact Report
LOAEL	Lowest Observed Adverse Effect Level
LTFC	Luton Town Football Club
LVIA	Landscape and Visual Impact Assessment [AS-079]
m	Metre
MPPA	Million Passengers Per Annum
NAP	Noise Action Plan
NATS	National Air Traffic Service
NEDG	Noise Envelope Design Group
NO2	Nitrogen Dioxide
NOx	Nitrogen Oxide
NPPF	National Planning Policy Framework 2023
NSIP	Nationally Significant Infrastructure Project
PA2008	The Planning Act 2008
PINS	The Planning Inspectorate
PM2.5	Particulate Matter that has a diameter of 2.5 micrometres or less

PV	Photovoltaic
RPG	Registered Park and Garden
RR	Relevant Representation
s	Section
s106	Section 106
SoCG	Statement of Common Ground
SoR	Statement of Reasons [AS-071]
SSSI	Site of Special Scientific Interest
SSWSI	Site of Specific Written Scheme of Investigation
TPCA90	Town and Country Planning Act 1990
TP	Temporary Possession
UK	United Kingdom
UKHSA	UK Health Security Agency
ZTV	Zone of Theoretical Visibility

ExQ1	Question to:	Question	Buckinghamshire Council Response
<b>Broad, general and cross-topic questions</b>			
BCG.1.1	All Local Authorities	<p><b>Development Plan policies</b> If not already provided in a Local Impact Report (LIR), provide full copies of any Development Plan policies that you have referred to in any of your submissions. Should you refer to any additional Development Plan policies at any time in your future submissions then, if they have not already been provided, please also submit copies of these into the Examination. Have there been any relevant updates to the statutory Development Plans since the compilation of the application documents? Are the local planning authorities content with the Applicant's policy analysis?</p>	<p>Please find links to the Council's relevant local planning policy documents below. The Council's comments in relation to the Applicant's planning policy analysis are contained within its LIR [REP1A-001].                      Vale of Aylesbury Local Plan (adopted 2021)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Aylesbury_local_plan_L46JWaT.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Aylesbury_local_plan_L46JWaT.pdf</a></p> <p>Buckinghamshire Minerals and Waste Local Plan 2016-2036 (adopted 2019)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/buckinghamshire-minerals-and-waste-local-plan-2016-2036_yiYUGSb.pdf">buckinghamshire-gov-uk.s3.amazonaws.com/documents/buckinghamshire-minerals-and-waste-local-plan-2016-2036_yiYUGSb.pdf</a></p> <p>If required, full copies of local plans can be provided separately.</p>
BCG.1.2	All Local Authorities	<p><b>Neighbourhood Plans</b> Can you confirm whether there are any relevant made or emerging neighbourhood plans that the Examining Authority (ExA) should be aware of? If there are can you:1. Provide details, confirm their status and – if they are emerging – the expected timescales for their completion;2. Provide a copy of the made plan or a copy of the latest draft.3. Indicate what weight you consider the ExA should give to these documents.</p>	<p>The Council is of the opinion that full weight should be given to the following documents that are relevant to the development:</p> <p>Edlesborough Neighbourhood Plan (Made 2017)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Edlesborough_NP_Referendum_Version_X2fA4P2.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Edlesborough_NP_Referendum_Version_X2fA4P2.pdf</a></p> <p>Wingrave with Rowsham Neighbourhood Plan (Made 2016)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Wingrave_NP_REFERENDUM_VERSION_5S0IL3z.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Wingrave_NP_REFERENDUM_VERSION_5S0IL3z.pdf</a></p> <p>Pitstone Neighbourhood Plan (Made 2016)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/pnp_referendum_edition_23_jan_2016-1_QW9tNsv.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/pnp_referendum_edition_23_jan_2016-1_QW9tNsv.pdf</a></p> <p>Ivinghoe Neighbourhood Plan (Made 2018)  <a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/IPNP_Referendum_Version_FINAL-accessible.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/IPNP_Referendum_Version_FINAL-accessible.pdf</a></p> <p>Slapton Neighbourhood Plan (Made 2018)</p>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<p><a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Slapton_NDP_Plan_Policies_Maps_IF7MYc4.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Slapton_NDP_Plan_Policies_Maps_IF7MYc4.pdf</a></p> <p>Cheddington Neighbourhood Plan (Made 2015)</p> <p><a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Cheddington_NP_Final_Version_Post_Examiner_14.08.15_xx17fYt.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/Cheddington_NP_Final_Version_Post_Examiner_14.08.15_xx17fYt.pdf</a></p> <p>If required, full copies can be sent separately.</p> <p>There are no relevant emerging Neighbourhood Plans.</p>
BCG.1.3	Applicant and Interested Parties	<p><b>Central Government Policy and Guidance</b> Are you aware of any updates or changes to Government Policy or Guidance (including emerging policies) relevant to the determination of this application that have occurred since it was submitted? If yes, what are these changes and what are the implications for the application?</p>	<p>The National Planning Policy Framework was updated in September 2023. The Council has not identified any specific changes of direct relevance to airport development, but notes that the update includes a number of amendments made under the heading of 'Meeting the challenge of climate change, flooding and coastal change' that may have indirect relevance. Therefore, as a minimum this should be captured in the Applicant's Errata Report, with the onus on the Applicant to consider wider implications for the proposed development that should also be applied to the wider DCO application.</p> <p>The Zero Emission Vehicle Mandate will require vehicle manufacturers to sell a rising proportion of electric vehicles before the 2035 ban on conventional petrol and diesel Updated legislation on the selling of petrol and diesel vehicles comes into force. The Applicant should consider any implications of the mandate and the Government's pushing back of the ban on new petrol and diesel cars to 2035 on the Environmental Statement (ES) and its conclusions.</p>
BCG.1.4	All Local Authorities	<p><b>Updates on development</b> Please provide an update on any submitted planning applications or consents granted since the application was submitted that could either affect the Proposed Development or be affected by the Proposed Development and whether these would affect the conclusions reached in the Environmental Statement (ES).</p>	<p>There are no applications within Buckinghamshire that would directly impact the ES.</p> <p>The ExA will be aware of the pre-existing freight management zone present in the Ivinghoe area – there is a need for the Applicant to give due consideration to the need to ensure that the Freight Strategy 2018-2036 is adhered to – comments have been made by the Council in this respect, highlighting that the CEMP and CTMP could be used as a means of securing compliance. Further details on this can be supplied if required.</p> <p><a href="https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/freight-strategy-publication-version-enhanced-maps-2-1.pdf">https://buckinghamshire-gov-uk.s3.amazonaws.com/documents/freight-strategy-publication-version-enhanced-maps-2-1.pdf</a></p> <p>The Council has provided comments on the ExA's letter requesting comments from Interested Parties on the Secretaries of State's decision regarding the Variation of Conditions application associated with planning permission for the expansion of London Luton Airport</p>



ExQ1	Question to:	Question	Buckinghamshire Council Response
			to 19mppa as part of its Deadline 4 submission.
DCO.1.13	Applicant and Joint Host Authorities	<b>Requirement 10 – Landscape and biodiversity management plan</b> Should (1) include the requirement for the relevant planning authority to consult with Natural England?	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council is of the opinion that Natural England (NE) should be consulted by the relevant planning authority, recognising the scale of the potential impact and the skills of NE in inputting and advising on proposed mitigation measures.
DCO.1.15	Applicant and Joint Host Authorities	<b>Requirement 20 – Environmental Scrutiny Group Paragraph 2 Applicant:</b> A number of organisations have raised concerns about the appointment of the independent chairperson and independent aviation specialist, the concern being that, whilst their appointment would need to be approved by the Secretary of State, their selection would be by Luton Borough Council in consultation with the airport operator – what do you think could be done to alleviate these concerns?  <b>Paragraph 6 Everyone:</b> As currently drafted the undertaker would be responsible for establishing the technical panels. Should this be the ESG? If not, why not?	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council concurs that this responsibility should fall to the ESG, in order to ensure the technical panels remain independent and objective.
DCO.1.16	Applicant and Joint Host Authorities	<b>Requirement 23 – Exceedance of Level 2 threshold Paragraph 2 Applicant:</b> As drafted this refers to the ESG certifying that a Level 2 threshold has been exceeded. Given the ESG is not a regulatory body, can it certify this or should it be 'confirmed in writing'?  <b>Paragraphs 4 and 6</b> Sets out that the ESG have 21 days to approve or refuse a plan, otherwise it is a deemed consent. Unlike other requirements this does not include the 'unless otherwise agreed in writing' tailpiece so, as drafted, there is no flexibility to extend the timescale by agreement – is this reasonable and is the 21 day time frame appropriate? If not, why not and what timeframe would be appropriate?	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council is of the opinion that this timeframe may take longer than 21 days, especially where consultation with bodies takes place. The Council suggest that 'unless otherwise agreed in writing' should be added.
DCO.1.19	Joint Host Authorities	<b>Requirement 39 – Application of Part 8 of the Planning Act 2008</b> 1. As currently drafted, this would appear to seek to limit the requests for enforcement action to the two scenarios listed in the requirement. Is this appropriate? 2. As currently drafted, there is no right of appeal against a situation where a request for enforcement action has been declined. Should there be and should this be dealt with by Article 52(arbitration) or should the appeal be to the Secretary of State?	The Council is of the opinion that there should be a right of appeal where a request for enforcement action has been declined. Without this, there is no other recourse to escalate these issues, should they arise. This should be dealt with through an appeal to the Secretary of State, as arbitration is not an appropriate vehicle for such disputes.
DCO.1.20	Joint Host Authorities	<b>Phasing</b> Many of the requirements refer to 'no part of the authorised development may commence until a...for the construction of that part has been submitted to...'. In addition, mitigation of the effects of the Proposed Development are predicated on various works or measures being in place before certain operations are commenced. In order to manage the discharge of requirements and to ensure certain elements of the scheme don't come forward/ start to operate without all of the necessary works being completed, is a phasing and/ or masterplan requirement needed? If not, why not and, if it is, provide a form of preferred drafting.	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council considers that details of phasing of works are important not just for the joint host authorities, but also in order to understand construction works impacts to Buckinghamshire Authority and should therefore be necessary. It will also assist with the relevant phasing of infrastructure and mitigation measures.  The Council suggests the use of wording along the lines of the following:  <i>No part of the authorised development shall commence until a phasing plan outlining the timed provision of the proposed works has been submitted to.... And approved in writing.</i>  <i>No part of the authorised development shall commence until a fixed</i>

ExQ1	Question to:	Question	Buckinghamshire Council Response
			<i>masterplan depicting the proposed works has been submitted to... And approved in writing.</i>
DCO.1.21	Applicant and Joint Host Authorities	<b>Decommissioning</b> Should the draft DCO include a requirement to deal with decommissioning? If not, why not? If it should, provide suitable drafting, and, given the duration of the Proposed Development, consider whether the drafting would need to include a requirement for an assessment of the impacts of decommissioning?	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council has previously commented to the effect that there is a need for the Applicant to commit to addressing future decommissioning through the inclusion of a suitably worded Requirement.
DCO.1.22	Applicant and Joint Host Authorities	<b>Register of requirements</b> Given the number of proposed requirements that would require discharging, some of which would need to be discharged multiple times over an extended period of time, is a requirement that would require the undertaker to establish and maintain an electronic register of requirements that require further approvals needed? If not, why not? And if yes would the suggested drafting below be appropriate? Suggested Drafting:(1) The undertaker must, as soon as practicable following the making of the Order, establish and maintain in an electronic form suitable for inspection by members of the public, the joint host authorities and other interested bodies a register of those requirements contained within Part 1 of this schedule that provide for further approvals to be given by the relevant planning authority, the relevant highway authority or the Secretary of State.(2) The register must set out in relation to each requirement the status of the requirement in terms of whether any approval to be given by the relevant planning authority, the relevant highway authority or the Secretary of State has been applied for or given, providing an electronic link to any document containing any approved details.(3) The register must be maintained by the undertaker for a period of three years following the completion of the authorised development.	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council would like to endorse the draft wording of an electronic register requirement.
DCO.1.24	Joint Host Authorities, any other public authority, body or organisation affected by the Proposed Development and Interested Parties	<b>Missing requirements</b> Review the requirements as drafted. If you consider that there are requirements that are currently not included provide details including any preferred drafting and an explanation of why they would need to be included.	Whilst the Council has no further comments to make regarding missing requirements at this time it reserves its right to raise this matter in the future. This will be dependent upon ongoing discussions with the Applicant which may lead to the need for additional requirements to be considered as part of the DCO.
GCG.1.4	All Local Authorities and CAA	<b>GCG - Appendix C – Annex C1 DCO noise model assumptions</b> Confirm whether the assumptions/parameters expressed in points a-j of Annex C1 [REP3-023] are acceptable and a reasonable basis for future noise modelling.	With reference to point e. "The modal split of 23% easterlies and 77% westerlies taken from the 10-year 92-day summer average from 2010 to 2019" the Council suggests that this parameter should be based on a five-year rolling average to take into account climate trends and any change in operating preferences.
GCG.1.5	All Local Authorities	<b>Quota Counts</b> Confirm whether the approach to calculating day and night-time quota counts in Noise Envelope – improvements and worked example [REP2-032] would form an acceptable basis for noise control on exceedance of a Level 1 and Level 2 thresholds.	In as much as day and night quota counts inform slot management Buckinghamshire Council agrees with this approach.  From CAP1731 and [REP2-032]:  "There is good correlation between the number of daytime movements and daytime Quota Count, and a good correlation between night-time movements and night-time Quota Count. The daytime Quota Count correlates relatively well with LAeq16h contour area; however, the correlation of night-time Quota Count with LAeq8h noise contour area is not that clear. More detailed

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			<p>investigation highlighted that the poorer than expected correlation between night-time contour area and Quota Count is isolated to Gatwick airport and night-time fleet changes between 2006 and 2016"</p> <p>This leaves a slight concern over the validity of the night-time contour to quota count conversion during the time that most people are sensitive to noise. Buckinghamshire Council would not want inaccurate data to inform night-time slot allocation as this presents a concern for the well-being of some of Buckinghamshire's communities.</p> <p>In Paragraph 57 of the NEDG final report it was noted that there had been some breaches of current noise limits at the airport in recent years. It was suggested that LR might show how these breaches would not have occurred had the Noise Envelope process already been in place. At the time of writing the NEDG Final report, the outcome of this work had not been reported to the NEDG. Although LR addresses this in [REP2-032] the NEDG was disbanded before publication. Buckinghamshire Council suggests the Luton Rising NEDG be given an opportunity to review the worked example.</p>
GCG.1.12	Applicant and Joint Host Authorities	<p><b>GCG Appendix A – Draft ESG Terms of Reference [REP3-019]</b> Applicant: Explain why the threshold for ESG being quorate in paragraph A2.2.1 has been revised from <i>“where the independent chair and independent aviation specialist (or a substitute agreed as per paragraph A2.1.12) and at least 50% of other representatives are present”</i> to <i>“where the independent chair, independent aviation specialist and slot allocation expert (or a substitute agreed as per paragraph A2.1.12) are present”</i>.</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council has concerns regarding the reduction in the threshold for a technical panel being quorate. It is considered that this severely undermines the integrity of the technical panel's role as a representative body. This change should plainly be reversed.</p>
GCG.1.13	Applicant and Joint Host Authorities	<p><b>GCG Appendix B – Draft Technical Panels Terms of Reference [REP3-021]</b> Applicant: Explain why the threshold for a technical panel being quorate in paragraph B2.2.1 has been revised from <i>“where the independent technical expert and at least 50% of any other approved representatives (as per Paragraph B2.1.7) are present”</i> to <i>“where the independent technical expert is present.”</i> <b>Joint Host Authorities:</b> Is this change acceptable and if not, why, not?</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council has concerns regarding the reduction in the threshold for a technical panel as it is felt that this severely undermines the integrity of the technical panel's role as a representative body. This change should plainly be reversed.</p>
GCG.1.15	Applicant and Joint Host Authorities	<p><b>GCG Appendix B – Draft Technical Panels Terms of Reference [REP3-021]</b> Applicant: Explain why meetings of the Technical Panel would only be at the discretion of the technical expert as set out in B2.5.1. <b>Joint Host Authorities:</b> Is this change acceptable and if not, why not?</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council has concerns regarding the meeting of the Technical Panel being at the discretion of the technical expert. As is usual for the operation of such panels all panel decisions should be made on the basis of a majority with the technical expert having a casting vote, where necessary.</p>
NE.1.6	Applicant, All Local Authorities and Harpenden Society	<p><b>Exports</b> The Need Case [AS-125, Section 4.4] focuses on trade and the percentage of exports in goods by sector for this region where it is stated 30% of Gross Value Added (GVA) in the East of England derives from exports, reflecting that the region has a strong international focus with growing need for international connectivity. Given that the Need Case identifies limited growth in cargo operations, where any additional cargo would only occur when longer haul flights are potentially introduced in the later phases of the development, how significant a contribution could growth at the airport have to exports in the East of England?</p>	<p>The Council's position is that it has not raised issues regarding the needs case in relation to Exports.</p>

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NO.1.4	Applicant	<b>Construction traffic - routeing (also raised under air quality)</b> The outline CTMP [APP-130, Appendix 18.3] explains that whilst the majority of traffic would use the M1- A1081 to access the site, some use of the A602/ A505 corridor is anticipated. Explain what allowance has been included in the noise and vibration chapter to account for these movements and draw on evidence from distribution of construction traffic for Project Curium works to demonstrate why this pattern of movements provides a robust assumption for the Proposed Development. <i>You may wish to link the answer to this question with the answer to AQ.1.3.</i>	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council would like to draw the ExA's attention to a connection between this request and requests that the Council has made regarding sight of this information to understand if this would influence construction route choices and cause traffic to use the local network towards Buckinghamshire.
PED.1.2	Applicant (1 only), Luton Borough Council (1 and 2), and All Local Authorities (2 only)	<b>Masterplan</b> It is noted that the Design and Access Statement [AS-049] explains that a masterplan was presented as part of the consultation process for the Proposed Development. Policy LLP6B in Luton Local Plan 2011- 2031 sets criteria to be met for airport expansion proposals, where applicable/ appropriate having regard to the nature and scale of such proposals. Part iii) is where proposals are in accordance with an up-to-date Airport Master Plan published by the operators of London Luton Airport and adopted by Luton Borough Council. 1. Are the proposals in accordance with an up-to-date Airport Master Plan published by the operators of London Luton Airport which has been adopted by Luton Borough Council? If yes, please submit details. 2. If no, should there be a requirement added to the draft DCO for a detailed masterplan to be developed post-consent to set out in more detail how the Proposed Development would be delivered, including phasing of works?	Yes, a masterplan and details of phasing of works in order to understand construction works impact to Buckinghamshire Authority is necessary. It will also assist with the relevant phasing of infrastructure and mitigation measures.
PED.1.23	Applicant, All Local Authorities, Natural England, The Chiltern Society and Chilterns Conservation Board	<b>Chilterns AONB Sensitivity Test [APP-107] Applicant:</b> Paragraph 2.4.2 states that extension to the boundary of the Chilterns AONB would neither change the judgements of magnitude of impact resulting from the Proposed Development nor those on the sensitivity of a visual receptor. This is because judgements on sensitivity are a product of the activity one is performing when experiencing a view, which would not be altered by the future designation of this land. Please explain further the rationale for this statement, given that introducing a statutory landscape designation would likely increase the value of the receptor and its susceptibility to change. <b>All Local Authorities, Natural England, The Chiltern Society and Chilterns Conservation Board:</b> Are parties in agreement with the findings in the Sensitivity Assessment? If not, why not?	The Council notes that the parts of the AONB within Buckinghamshire have not previously been identified as experiencing significant adverse effects due to the Scheme. However, discussions with the Applicant on this matter have since resulted in an acknowledgement by the Applicant that adverse impacts may arise. Given that there is uncertainty about the boundary of any forthcoming extension to the AONB designation, the Council is of the opinion that Buckinghamshire should be scoped into further assessment, including the sensitivity testing and concurs with the ExA that the introduction of a statutory landscape designation to an area that was previously not designated does merit a review of the assigned value and sensitivity of those additional parcels as part of the ES, to be undertaken through Sensitivity Testing.
PED.1.32	All Local Authorities	<b>Landscape and the planning balance</b> Chapter 8 of the Planning Statement [AS-122, paragraph 8.9.32] concludes that, allowing for mitigation measures, landscape and visual impacts should be accorded only limited weight in the planning balance. Do you agree that landscape and visual impacts should only be accorded limited weight? If not, why not and what weight should they be given?	No. Great weight should be given to AONB landscape impact, in accordance with paragraph 176 of the NPPF.
SE.1.4	Applicant and Luton Borough Council	<b>Employment and training strategies</b> The s106 agreement attached to the current planning consent for the airport requires the delivery of an employment, skills and recruitment plan: 1. Under the s106 agreement annual monitoring of this plan should have occurred. Can you provide details of what outcomes has it delivered since the granting of consent? 2. What would happen to this strategy given Articles 44 and 45 in the draft DCO [REP2-003] ie would it be in addition to or replaced by the proposed Employment and Training Strategy (ETS)? 3. The Green Horizons Park s106 requires the delivery of an employment, skills, procurement and training strategy. Would the ETS be in addition to or replace this strategy? 4. Given what the ETS is delivering should it be secured through a requirement rather than a s106 agreement as has been done on other DCOs? If not, why not, and what is the advantage of securing it through a s106 as opposed to a requirement?	It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council views the ETS as a document that it will necessarily be involved in the production of, with the aim of ensuring that it manages adverse effects and seeks to deliver beneficial effects for Buckinghamshire. On that basis, the Council considers it to be a means of delivering essential mitigation for the Proposed Scheme.  In relation to part 4 of the ExA question: as a neighbouring authority, the Council would not be capable of being a party to any s106 agreement that may relate to the implementation of the ETS. For this reason, the Council has a strong preference that it be secured through a DCO requirement, to enable direct interaction with Buckinghamshire Council as one of a number of affected authorities.

ExQ1	Question to:	Question	Buckinghamshire Council Response
HAC.1.15	Joint Host Authorities	<p><b>Need for requirements in relation to health and wellbeing</b> The Joint Host Authorities' LIR [REP1A-003, paragraphs 7.8.7 to 7.8.9] concludes that the Proposed Development would create adverse health and wellbeing effects on residents during operation and recommends that additional requirements should be included in the draft DCO to mitigate this negative impact. Please provide further detail of the requirements that should be included, including any preferred drafting.</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council would like to draw the ExA's attention to concerns raised in its previous submissions (Written Representation (REP1-042) and Local Impact Report (REP1A-001), reinforced within the Updated Principal Areas of Disagreement Summary Statement (REP2-045), comments previously supplied on Deadline 2 and 2A documents (REP3-082) and the Council's Deadline 3 submissions (REP3-079, REP3-080, REP3-081, REP3-083 and REP3-084)) relating to potential for adverse health and well-being effects that it considers that the Applicant has not yet fully evidenced, both in construction and operation. In the operational phase, the Council's concerns relate to two matters. Adequate controls being in place in relation to effects on health determinants from the impacts of aircraft noise, noting that this will change over time (e.g. tonality, location and aircraft numbers). Ensuring accessibility of job opportunities to residents of Buckinghamshire in the interests of supporting well-being (e.g. physical accessibility by a range of modes; and measures to support skills-matching/upskilling of the local residents to secure and retain airport-related employment).</p> <p>The Council is keen to ensure that requirements are included to address health and well-being. The Council considers that the geographical reach of such requirements should encompass all affected parts of the study area, which it considers to extend beyond the joint host authorities, including (but not necessarily limited to) Buckinghamshire.</p>
TT.1.17	Applicant	<p><b>Bus and Coach</b>                  Can the Applicant provide a summary of the discussions it has had with bus providers (which aimed to increase the coverage and frequency of services to the airport), and, considering these discussions, does the Applicant have confidence that the additional proposed spaces can and would be utilised by operators?</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council wishes to express that it considers it necessary for the Applicant to engage with local authorities when conducting discussions with operators.</p> <p>The Council is concerned that a lack of engagement to discuss the areas for which services are required would lead to no benefit to areas that are currently poorly served, resulting in a failure to ensure services cover a broad geographical area.</p>
TT.1.18	Applicant	<p><b>Bus and Coach</b>                  Can the Applicant confirm that if proposed new routes are not initially commercially viable that the sustainable transport fund would be used to support operators in running these services until the demand is such that they are able to operate commercially? If yes, how would this be secured so that the ExA can afford it weight when reporting to the Secretary of State? And if no, why not?</p>	<p>It is acknowledged that this question is not posed directly to Buckinghamshire Council. Notwithstanding this, the Council would like to draw the ExA's attention to its experience – a bus route will intrinsically be unviable in its early stages of establishment. The sustainable transport fund as currently presented will have no forward funding to support public transport routes at the early stages of development. The Sustainable Transport Fund requires review of the structuring and the value to be made available. The Council remains concerned that the overall value of the Sustainable Transport Fund is insufficient to meet the objectives of the funds, discussions with the Applicant are still on-going in this regard, through the SoCG process between the Council and the Applicant.</p>