

London Luton Airport Expansion

Buckinghamshire Council Comments on Further Deadline 3 Submissions

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Directorate for Planning, Growth & Sustainability
Planning & Environment
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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 overarching comments on the updated application documents submitted at Deadline 3. The primary focus is on the relevant parts of the submissions from the Applicant, covering 47 submissions, 22 Additional Submissions and three response papers as specified in REP3-001 (Cover Letter). The Council notes that the Applicant's cover letter (REP3-001) also signposts the documents that address the various Deadline 3 Action Points from the Examining Authority (ExA). Where updated documents from other parties relate to the Council's position, these are referenced.

1.2. Buckinghamshire Council's Position

- 1.2.1. The Council welcomes the Applicant's approach to continuing to supplement the information relating to the Proposed Development with additional submissions. Notwithstanding this, based on the review of the additional submissions supplied by the Applicant at Deadline 3, the Council maintains that its comments made to date have not been fully addressed.
- 1.2.2. The Council's latest position remains as per that expressed within its 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). Where appropriate, the Council's position is reinforced and clarified through the comments provided in this document on the Deadline 3 submissions.
- 1.2.3. The Council's position is anticipated to evolve through the examination process and the continuing development of a Statement of Common Ground (SoCG) between the Council and the Applicant. The Council is receptive to continuing to engage with the Applicant and welcomes involvement in discussions on all matters raised in respect of its stated position.

2 Comments on Further Deadline 3 Submissions

2.1. REP3-001: Deadline 3 Submission – Cover Letter

- 2.1.1. The content of this submission is noted, including the Applicant's position regarding the deferral of further SoCG publications to Deadline 6 and the cross-referencing supplied regarding the location of Applicant's response to Action Points within the Deadline 3 documents. The Council has no substantive comments.

2.2. REP3-002: 1.06 Application Document Tracker

- 2.2.1. The content of this submission is noted, and the Council welcomes the provision of a tracker. The Council has no further comments.

2.3. REP3-003/REP3-004: 2.01 Draft Development Consent Order (Tracked Changes version)

- 2.3.1. The content of this submission is noted. The Council has compared it using the tracked changes version REP3-004 and notes and welcomes the Applicant's amendments to Requirement 27 - Night quota period scheduled movements cap. The Council's remaining concerns, outlined in its Updated Principal Areas of Disagreement Summary Statement (REP2-045), are still to be addressed. However, the Council will continue to engage with the Applicant on these matters through the SoCG process.

2.4. REP3-005/REP3-006: 2.02 Explanatory Memorandum (clean and Tracked Changes version)

- 2.4.1. The content of this submission is noted. The Council has no further comments.

2.5. REP3-007/REP3-008: 5.01 Chapter 12 – Greenhouse Gases (clean and Tracked Changes versions)

- 2.5.1. The changes made to this document are cosmetic in nature and make no difference as regards the Council's position, which remains unchanged to that previously communicated.

2.6. REP3-009: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 1, 5 and 6

- 2.6.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.

- 2.7. REP3-010: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 10B, 13, 14, 17 and 17A
- 2.7.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.
- 2.8. REP3-011: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 18, 19, 20, 23, 24 and 25
- 2.8.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.
- 2.9. REP3-012: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 26, 28, 29, 30, 31, 34, 36 and 37
- 2.9.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.
- 2.10. REP3-013: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 46, 48, 50
- 2.10.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.
- 2.11. REP3-014: 5.02 Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 53, 56, 61
- 2.11.1. This submission has been reviewed – it does not relate to viewpoints of concern to the Council. The Council has no comments.
- 2.12. REP3-015/REP3-016: 7.07 Green Controlled Growth Explanatory Note (clean and Tracked Change versions)
- 2.12.1. This submission has been reviewed. The Council sets out a number of comments, cross-referenced to the paragraphs within REP3-016.
- 2.12.2. Paragraph 3.2.6 and 3.2.10: The Council supports the concept of linking the Noise Action Plan (NAP) with Green Controlled Growth (GCG) but only on the basis that hard targets become part of GCG. However, it is suggested that the five-year review cycle is overly long to correct any emerging deviation from GCG thresholds and levels. The Council would prefer to see an annual review of thresholds and levels.
- 2.12.3. Paragraph 3.2.14: The Applicant should not confuse the purpose of a Noise Action Plan (NAP) and Noise Envelope (NE). The former is aspirational whilst the latter is intended to be regulatory. Whilst convenient for the Applicant to synchronise the

process of GCG review cycles with the 5-year NAP cycle, the Council asserts there is no necessity to do so.

2.12.4. Paragraph 3.2.29: Given the five-year cycle (above) the Council is not clear how the International Civil Aviation Organization (ICAO) publishing a new 'noise chapter' or the approval of an Airspace Change Proposal would become part of such a ridged and slow review process. The Applicant should clarify this.

2.12.5. Paragraph 3.2.3: In a meeting with the Council, the Applicant stated that "the noise envelope design group had clarified regarding NEDG that the group was instigated to develop the noise envelope for the DCO which it has done. The work of the NEDG in terms of this application is complete. Regarding future airspace change, if the noise envelope needs to be reviewed then the NEDG may reconvene, but it shouldn't be presumed that membership of the NEDG will necessarily be the same going forward." The Council is of the opinion that the Applicant should not present the NEDG as if it still existed.

2.13. [REP3-017/REP3-018: 7.08 Green Controlled Growth Framework \(clean and Tracked Changes versions\)](#)

2.13.1. This submission has been reviewed. The Council sets out three principal comments, cross-referenced to the paragraphs within REP3-018.

2.13.2. Para 2.3.1: This should explicitly also refer to the NE.

2.13.3. Para 3.1.1: Although recognising the similarities, the Council would like to see the NE as a discreet part of GCG.

2.13.4. Para 3.3.2 and 3.3.5: Although the Council welcomes the triggering of a review in the event of Airspace Change or a new ICAO aircraft chapter, the Council asks that the noise limit review be annual.

2.14. [REP3-019/REP3-020: 7.08 Green Controlled Growth Framework Appendix A – Draft ESG Terms of Reference \(clean and Tracked Change version\)](#)

2.14.1. The Council welcomes the introduction of an airline slot expert to the ESG. There is likely to be a tension between increased daytime slot allocation, which under GCG can grow relatively freely in the early phases, and night slot allocation which is more tightly controlled by a movement cap. The number of late running aircraft is likely to increase if the transition between night and day does not have sufficient contingency. The expert should ease this tension.

2.14.2. The change does not fulfil the Council's request to be part of the ESG and Noise Technical Panel in particular.

- 2.15. REP3-021/REP3-022: 7.08 Green Controlled Growth Framework Appendix B – ESG Technical Panels Draft Terms of Reference (clean and Tracked Changes versions)
- 2.15.1. The change does not fulfil the Council’s request to be part of the ESG and Noise Technical Panel in particular.
- 2.16. REP3-023/REP3-024: 7.08 Green Controlled Growth Framework Appendix C – Aircraft Noise Monitoring Plan (Clean Version and Tracked Change Version)
- 2.16.1. This submission has been reviewed. The Council sets out a number of comments, cross-referenced to the paragraphs within REP3-024.
- 2.16.2. Paragraph C2.1.2: The Council finds this paragraph confusing. As above (REP3-016) the Applicant should not conflate the NAP and NE, although there are overlaps.
- 2.16.3. Paragraph C3.1.1: The Council understands the reason for the introduction of quota counts into the Aircraft Noise Monitoring Plan but would resist them becoming the default measurement. This is because nighttime air traffic movements can be removed from the quota count as outside of the airport’s control, but contours based on actual flights flown are not as flexible.
- 2.16.4. Paragraph C4.1.3: For the purposes of monitoring, not necessarily enforcement, the Council would like dispensed movements left in the contour calculations. Two versions could be provided, to illustrate the difference when dispensed movements are taken into account. This would provide the ESG with the means to check dispensed movement trends.
- 2.16.5. Paragraph C4.2.3: The Council asks for a permanent noise monitor in the Ivinghoe area. This is justified on the grounds that it would provide good data for monitoring the edge of the Applicant’s LOAEL contours where they are close to Buckinghamshire.
- 2.16.6. Paragraph C5.1.1 a.: This commitment suggests that the Applicant will produce both annual and five-year forward plans. On this basis it is suggested that thresholds and levels be reviewed annually and the five year forward plan updated on a rolling annual program and presented to the ESG. It is the Applicant's stated intent to share the benefits of quieter aircraft with the community. A more frequent review of performance and reduction of thresholds and levels, as far as reasonably practicable, is key to achieving this shared benefit. The five-year cycle masks changes, both adverse and beneficial – an annual review would provide the means to address this matter.

- 2.17. [REP3-025/REP3-026: 7.08 Green Controlled Growth Framework Appendix D – Air Quality Monitoring Plan \(Clean Version and Tracked Change Version\)](#)
- 2.17.1. This submission has been reviewed. The Council has no comments to make in addition to those already contained within 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).
- 2.18. [REP3-027/ REP3-028: 8.06 Statement of Common Ground between London Luton Airport Limited and Thames Water Utilities \(clean and Tracked Change versions\)](#)
- 2.18.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.19. [REP3-029/ REP3-030: 8.07 Statement of Common Ground between London Luton Airport Limited and the Environment Agency \(clean and Tracked Changes versions\)](#)
- 2.19.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.20. [REP3-031/ REP3-032: 8.08 Statement of Common Ground between London Luton Airport Limited and Affinity Water \(clean and Tracked Changes versions\)](#)
- 2.20.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.21. [REP3-033/ REP3-034: 8.10 Statement of Common Ground between London Luton Airport and the Civil Aviation Authority \(clean and Tracked Changes versions\)](#)
- 2.21.1. This submission has been reviewed – the Council notes that discussions regarding noise modelling are ongoing. The Council has no further comments.
- 2.22. [REP3-035-/ REP3-036: 8.11 Statement of Common Ground between London Luton Airport and National Highways \(clean and Tracked Change versions\)](#)
- 2.22.1. This submission has been reviewed – it does not relate directly to matters of concern to the Council. The Council has no comments to make on this document.

- 2.23. REP3-037/ REP3-038: 8.18 Statement of Common Ground between London Luton Airport Limited and Buckinghamshire Council (clean and Tracked Change versions)
- 2.23.1. This submission has been reviewed – it does not yet fully reflect the matters of concern to the Council that have been raised through the SoCG process. The Council’s position remains as set out in the Deadline 3 covering letter – REP3-079.
- 2.23.2. The Council raises no further comments at this stage, pending further evolution of the SoCG as the Examination progresses.
- 2.24. REP3-039/REP3-040: 8.22 Statement of Commonality for Statements of Common Ground (clean version and Tracked Change version)
- 2.24.1. This document has been reviewed. The Council notes that the Applicant references an updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party (the Council), with engagement to continue ahead of Deadline 6 (page 4). The Council agrees with this as an accurate statement.
- 2.24.2. The Council is not in agreement with the Applicant’s expression of areas of commonality between the two parties. Specifically, the Council’s concerns regarding health and community matters; and cumulative effects, should be reflected in the document, including through an amendment to Table 3.1.
- 2.25. REP3-041/ REP3-042: 8.34 Status of Negotiations – Compulsory Acquisition Schedule (clean and Tracked Changes versions)
- 2.25.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.26. REP3-043/ REP3-044: 8.39 Applicant’s Response to Written Representations made by Affected Persons at Deadline 1 (Part 3) (clean and Tracked Changes versions)
- 2.26.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.27. REP3-045/ REP3-046: 8.41 Surface Access Noise Modelling Additional Information (clean and Tracked Changes versions)
- 2.27.1. This submission has been reviewed – it relates to the Host Authorities and is therefore not relevant to the Council. The Council has no comments.

2.28. [REP3-047: 8.45 Holiday Inn Acoustic Barrier – Change Notification](#)

2.28.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.

2.29. [REP3-048: 8.47 Applicant’s Post Hearing Submission – Issue Specific Hearing 1 \(ISH1\)](#)

2.29.1. This submission has been reviewed. The Council notes the Applicant’s statement in relation to the membership of the ESG, however, this does not satisfy the Council’s concerns raised in its previous submissions.

2.29.2. The Council maintains its stance that given the uncertainty surrounding the validation of the traffic modelling in the Buckinghamshire Council area and the likelihood for airspace change, as a result of the increase in passenger numbers, the Applicant cannot rule out the scale of environmental impacts experienced by the Council increasing. On this basis the Council would reiterate its request that it be included in the ESG membership moving forward.

2.30. [REP3-049: 8.48 Applicant’s Post Hearing Submission – Issue Specific Hearing 2 \(ISH2\)](#)

2.30.1. The Council raised significant concerns about the fact that CORSIA runs through to 2035 only, whereby the largest effect of long-haul flights within the Applicant’s proposition does not start until 2037. The Council submitted written evidence to the post hearing submission in relation to carbon trading and it is for the Applicant to sufficiently address these concerns within its Deadline 4 submission. The Council will respond to those submissions at the appropriate time.

2.30.2. The Council recognises the importance of the scrutiny of Employment and Training Strategies pertaining to earlier planning permissions. The Council agrees that the impact of previous strategies on the quantity and quality of job opportunities as well as the impact on wage levels and deprivation should be considered when shaping the detail of the new Employment and Training Strategy (ETS) (APP-215).

2.30.3. The involvement of the Council in earlier Employment and Training Strategies developed in relation to London Luton Airport was questioned. Any previous involvement would appear to be limited. As Buckinghamshire is one of the areas covered by the proposed new ETS (APP-215), the Council would emphasise the importance of its involvement moving forward. The Council’s input is considered essential to ensure that potential employment benefits are realised, in accordance with the embedded aims of the ETS in terms of supporting communities within the study area.

2.30.4. With reference to point 3.4.5, the Council sought assurance on the methods by which the ETS (APP-215) and the Local Economic Development Working Group (LEDWG) referenced with this, would be secured. The Council maintains the view

that the ETS, and the Council's involvement in the Local Economic Development Working Group, are key to efforts to maximise the local economic benefits.

2.30.5. With reference to points 4.3.17 and 4.3.18 (REP3-049) and the Community First Fund, the Council welcomes the consideration to be given to the inclusion of four additional wards in Buckinghamshire. Further information on the wards and extent of deprivation have been provided to the Applicant subsequent to Issue Specific Hearing 1.

2.31. [REP3-050: 8.49 Applicant's Post Hearing Submission – Issue Specific Hearing 3 \(ISH3\)](#)

2.31.1. The Council has reviewed the document. The contents do not alter the Council's position.

2.32. [REP3-051: 8.50 Applicant's Post Hearing Submission – Issue Specific Hearing 4 \(ISH4\)](#)

2.32.1. The Council remains concerned that the Applicant refers to engagement with relevant authorities with respect to the transport modelling, (para 4.1.2) however engagement with Buckinghamshire has been limited. The Council considers that it is a relevant authority, as it is shown that development traffic shall use its network for western approaches. The Council remains committed to working with the Applicant with regards to the strategic modelling and determination of its suitability for use within the Buckinghamshire area.

2.32.2. It is brought to the attention of the ExA that the Applicant has not approached Buckinghamshire Council for additional data for the purposes of updating the strategic modelling.

2.32.3. The Council notes that the Applicant states that it is working collaboratively regarding the Applicant's response to Written Representations – Part 2 (REP2-035). However, the Council brings to the attention of the ExA that the Applicant has not sought to engage with the Council since the Issue Specific Hearing – this raises a concern that progress is slowing, and that the ability to resolve the issues raised by the Council may be subsequently reduced.

2.32.4. The Council currently maintains its position that the traffic model used by the Applicant has not been adequately validated within the Buckinghamshire area. The Council therefore holds a contrary position to the Applicant, and this is reflected within the SoCG progression between the Applicant and the Council.

2.32.5. The Council considers the provision of the updated trip distribution diagrams to be critical to its ability to progress the position regarding the direct and indirect traffic impacts within Buckinghamshire. It is noted that the diagrams produced to date are not 24 hour profiles and do not demonstrate the development peak traffic. The Council therefore continues to seek greater detail from these plots in showing

the numbers of trips on the network, as well as greater clarity over the times of day when these trips are being made.

- 2.32.6. It is noted that the Council has now been invited to become members of the ATF – this is welcome and the Council has proposed suitable officers to represent the Council on that body.
- 2.32.7. The Council remains concerned that Applicant has not, as yet, addressed the ‘funding lag’ apparent for the Sustainable Transport Fund (STF). The Council requires additional detail from the Applicant, to demonstrate that the value of the STF will be sufficient to provide the services required.
- 2.32.8. The Council will respond to comments to be submitted regarding bus route 61 once the Applicant has submitted its update.
- 2.33. [REP3-052: 8.51 Applicant’s Post Hearing Submission – Issue Specific Hearing 5 \(ISH5\)](#)
- 2.33.1. The submission has been reviewed. The Council has no comments.
- 2.34. [REP3-053: 8.52 Applicant’s Post Hearing Submission – Issue Specific Hearing 6 \(ISH6\)](#)
- 2.34.1. The submission has been reviewed. The Council has no comments.
- 2.35. [REP3-054: 8.53 Applicant’s Post Hearing Submission – Compulsory Acquisition Hearing 1 \(CAH1\)](#)
- 2.35.1. The submission has been reviewed. The Council notes the Applicant’s comments at paragraph 5.1.1(g)(ii) in relation to the inclusion of protective provisions relating to local highway authorities. The Council will continue to engage in the negotiations with the Applicant on this matter and reserves the right to make further comment as negotiations develop.
- 2.36. [REP3-055: 8.54 Summary of changes to the Draft Development Consent Order](#)
- 2.36.1. The content of this submission is noted. The Council notes and welcomes the Applicant’s amendments to Requirement 27 - Night quota period scheduled movements cap. The Council’s remaining concerns, outlined in its Updated Principal Areas of Disagreement Summary Statement (REP2-045), are still to be addressed. However, the Council will continue to engage with the Applicant on these matters through the SoCG process.

- 2.37. REP3-056: 8.55 Applicant's Response to Deadline 2 submissions (Written Representations)
- 2.37.1. This submission has been reviewed. The Council has no comments.
- 2.38. REP3-057: 8.55 Applicant's Response to Deadline 2 Submissions (Written Representations) Appendix A – Central Bedfordshire Council
- 2.38.1. This submission has been reviewed. The Council has no comments.
- 2.39. REP3-058: 8.55 Applicant's Response to Deadline 2 Submissions (Written Representations) Appendix B – Flamstead Parish Council
- 2.39.1. This submission has been reviewed – it does not relate to matters of concern to the Council. The Council has no comments.
- 2.40. REP3-059: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 Submission)
- 2.40.1. This submission has not been reviewed in detail, noting that Appendix D relates to the Council. The Council cross-refers the ExA to the response provided in respect of Appendix D – the Council's position has since progressed to that as set out in the Deadline 3 covering letter. The Council has no further comments at this deadline.
- 2.41. REP3-060: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 Submission) – Appendix A - LADACAN
- 2.41.1. The submission has been reviewed. The Council has no comments.
- 2.42. REP3-061: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix B – Michael Reddington
- 2.42.1. This submission has been reviewed and the Council notes the Applicant's responses to detailed questions regarding noise matters. The Council has no comments.
- 2.43. REP3-062: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix C – Stop Luton Airport Expansion
- 2.43.1. The submission has been reviewed. The Council has no comments.

- 2.44. REP3-063: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Written Representations) Appendix C2 – Stop Luton Airport Expansion
- 2.44.1. The submission has been reviewed. The Council has no comments.
- 2.45. REP3-064: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix D – Buckinghamshire Council
- 2.45.1. This submission has been reviewed – it is based on documents that have since been superseded and therefore does not reflect the progression of the Council's position on principal matters of concern. The Council's position has progressed to that as set out in the Deadline 3 covering letter – REP03-079.
- 2.45.2. The Council raises no further comments at this stage, pending further evolution of the Scheme as the Examination progresses.
- 2.46. REP3-065: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix E – The Harpenden Society
- 2.46.1. The submission has been reviewed. The Council has no comments.
- 2.47. REP3-066: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix F – Friends of Wigmore Park
- 2.47.1. The submission has been reviewed. The Council has no comments.
- 2.48. REP3-067: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Written Representations) Appendix F2 – Friends of Wigmore Park
- 2.48.1. The submission has been reviewed. The Council has no comments.
- 2.49. REP3-068: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Written Representations) Appendix G – Holiday Extras Limited
- 2.49.1. The submission has been reviewed. The Council has no comments.
- 2.50. REP3-069: 8.56 Applicant's Response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix H – Hitchin Forum
- 2.50.1. The submission has been reviewed. The Council has no comments.

- 2.51. [REP3-070: 8.56 Applicant's Response to Deadline 2 Submissions \(Comments from Interested Parties on Deadline 1 submission\) Appendix I – PAIN](#)
- 2.51.1. This submission has been reviewed. The Council has no comments.
- 2.52. [REP3-071: 8.56 Applicant's Response to Deadline 2 Submissions \(Comments from Interested Parties on Deadline 1 submission\) Appendix J – Paul Farquharson](#)
- 2.52.1. This submission has been reviewed. The Council has no comments.
- 2.53. [REP3-072: 8.57 Applicant's Response to Supplementary Agenda Additional Questions – Compulsory Acquisition Hearing 1 \(CAH1\)](#)
- 2.53.1. The submission has been reviewed. The Council has no comments.
- 2.54. [REP3-073: 8.58 Applicant's Response to Supplementary Agenda Additional Questions – Issue Specific Hearing 1 \(ISH1\)](#)
- 2.54.1. The submission has been reviewed. The Council notes the Applicant's response to ISH1.S2.12 in relation to the inclusion of Natural England as a consultee. The Council maintains its position that the Applicant cannot rule out in its entirety the need for or benefit from consultation with Natural England on relevant matters and cannot see how their inclusion would raise any issues for the Applicant / Operator moving forward.
- 2.55. [REP3-074: 8.59 Applicant's Response to Supplementary Agenda Additional Questions – Issue Specific Hearing 4 \(ISH4\)](#)
- 2.55.1. This submission has been reviewed – Buckinghamshire Council is concerned that the Applicant's response to ISH4.SA.03. relies on type 2 mitigation within the TRIMMA. This provides no certainty of ability to deliver mitigation and places the burden of proof upon the local authorities once the development has been consented to prove that there is an unmitigated impact. The Council has raised concerns within the ISH 4 session that the level of funding and provisions within the TRIMMA are not sufficient to be able to address the impacts of the development, particularly if there are numerous locations where impacts are identified by multiple authorities. It should not be the case that multiple authorities compete for a limited funding provision to mitigate impacts from a development. The development should fully identify and mitigate its impacts - if this is to be done through the TRIMMA process, the funding should be secured to ensure that this will be achieved.
- 2.56. [REP3-075: 8.62 Issue Specific Hearing 3 Action 29 Response Paper – Historical Flight Path Information](#)
- 2.56.1. The content of this submission is noted. The Council has no comments.

2.57. [REP3-076: 8.63 Issue Specific Hearing 5 Action 17 Response Paper – Breakdown of Non-Surface Access Emissions](#)

2.57.1. This submission has been reviewed – it does not relate to locations of concern to the Council. The Council has no comments.

2.58. [REP3-077: 8.64 ISH4 Action 2 Interim Response – Presentation of the Interim Findings of the Covid-19 Modelling Update](#)

2.58.1. The modelling hours are between 08:00 and 18:00 with AM and PM peaks, and the inter peak period. It is noted that the peak hours for flights are prior to the peak hour traffic, commencing at 07:00. The modelling analysis therefore covers the network peak hours, but does not cover the development peak traffic generation, which the Council would anticipate manifesting on the Buckinghamshire road network c. 2 – 3 hours prior to the flight peak. Given that this will be in the early hours of the morning when baseline noise levels are much lower, absence of trip information to allow suitable analysis of the traffic impacts at this time is a concern to the Council.

2.58.2. The trends shown present lower vehicle movements on the local authority networks considered. It is noted that the Buckinghamshire network has not been considered, and the longer distance routing away from the Strategic Road Network has not been reviewed.

2.58.3. The Council therefore has concerns that any reduction in the growth used will under-estimate the impact of the development across the long-distance commuting routes and consequently the impact on the Buckinghamshire network.

2.59. [REP3-078: 8.65 Applicant’s Deadline 3 Updates to Comments in Written Representations and Local Impact Reports on Draft DCO Drafting](#)

2.59.1. The content of this submission is noted. The Council has no comments.

3 Summary of Comments on Updated Application Documents

3.1.1. The section provides a summary of the comments of the Council in relation to the updated application documents submitted by the Applicant, where matters of concern to the Council are included.

Table 3-1 Summary of comments on updated Application documents submitted by the Applicant at Deadline 3

Document	Summary of Comments
REP3-001 London Luton Airport Limited (LLAL) Cover Letter	The Council notes the Applicant's intentions regarding SoCG progression and publication. The Council has no comments.
REP3-002 LLAL 1.06 Application Document Tracker	The Council welcomes provision of a tracker by the Applicant. The Council has no comments.
REP3-003/004 LLAL Draft Development Consent Order (dDCO)	The content of this submission is noted. Whilst the Applicant has addressed the Council's concerns regarding changes to the Night Quota the remainder of its concerns outlined in its Updated Principal Areas of Disagreement Summary Statement (REP2-045), are still to be addressed.
REP3-005/006 LLAL Explanatory Memorandum	This submission has been reviewed. The Council has no comments to make.
REP3-007/008 LLAL Chapter 12 – Greenhouse Gases	This submission has been reviewed. The Council's position as set out in REP2-045 is unchanged. The Council has no additional comments to make.
REP3-009 – REP3-014 LLAL Appendix 14.7 Accurate Visual Representations – Representative Viewpoints 1, 5, 6, 10B, 13, 14, 17, 17A, 18, 19, 20, 23, 24, 25, 26, 28, 29, 30, 31, 34, 36, 37, 46, 48, 50, 53, 56, 61	These viewpoints provide perspectives of the Proposed Development from outside the Buckinghamshire Council administrative area. The Council has no comments.
REP3-015/016 LLAL Green Controlled Growth Explanatory Note	This submission has been reviewed. The Council supports linking the NAP to GCG, provided that hard targets are included in the latter. The Council requests that an annual review of thresholds and levels is undertaken, deviating from the 5 years proposed by the Applicant.

Document	Summary of Comments
	<p>The Council is concerned that the Applicant confuses the purposes of the NAP and NE – the regulatory role of the latter should be kept clear.</p> <p>Clarification is needed on how ICAO publication of a new ‘noise chapter’ and/or approval of an airspace change proposal interfaces with five-year reviews.</p>
<p>REP3-017/018 LLAL Green Controlled Growth Framework</p>	<p>This submission has been reviewed. The Council sets out three principal comments, cross-referenced to the paragraphs within REP3-018.</p> <ul style="list-style-type: none"> - Para 2.3.1: This should explicitly also refer to the NE. - Para. 3.1.1: The Council would like to see the NE as a discreet part of GCG. - - Para. 3.3.2 and 3.3.5: The Council asks that the noise limit review be annual.
<p>REP3-019/020 LLAL Green Controlled Growth Framework Appendix A – Draft ESG Terms of Reference</p>	<p>This submission has been reviewed.</p> <p>The Council welcomes the addition of an airline slot expert to the ESG.</p> <p>The Council’s position regarding membership of the ESG and Technical Panel’s remains unchanged – the Council continues to request representation on these.</p>
<p>REP3-021/022 LLAL Green Controlled Growth Framework Appendix B – ESG Technical Panels Draft Terms of Reference</p>	<p>This submission has been reviewed.</p> <p>The Council’s position regarding membership of the ESG and Technical Panel’s remains unchanged – the Council continues to request representation on these.</p>
<p>REP3-023/024 LLAL Green Controlled Growth Framework Appendix C – Aircraft Noise Monitoring Plan</p>	<p>This submission has been reviewed.</p> <p>As commented previously (REP3-016) the Applicant should not conflate the NAP and NE review cycles.</p> <p>The Council would resist quota counts in the Aircraft Noise Monitoring Plan becoming the default measurement. Actual flights flows are considered more accurate for the intended purpose.</p> <p>For the purposes of monitoring, the Council would like dispensed movements left in the contour calculations. Two versions should be provided – one with and one without the</p>

Document	Summary of Comments
	<p>dispensed movements, in order to allow the ESG the ability to review dispensed movement trends.</p> <p>The Council requests a permanent noise monitor in the Ivinghoe area, to provide quantitative data at the edge of the LOAEL contours that are proximate to Buckinghamshire.</p> <p>The Council suggests that thresholds and levels should be reviewed annually.</p>
<p>REP3-025/026 LLAL Green Controlled Growth Framework Appendix D – Air Quality Monitoring Plan</p>	<p>This submission has been reviewed. The Council’s position remains unchanged.</p> <p>The Council has no additional comments to make.</p>
<p>REP3-027/028 LLAL Statement of Common Ground between LLAL and Thames Water Utilities Limited</p>	<p>This submission has been reviewed.</p> <p>The Council has no comments to make.</p>
<p>REP3-029/030 LLAL Statement of Common Ground between LLAL and the Environment Agency</p>	<p>This submission has been reviewed.</p> <p>The Council has no comments to make.</p>
<p>REP3-031 – REP3-036 LLAL Statement of Common Ground between LLAL and, variously, Affinity Water, Civil Aviation Authority, National Highways</p>	<p>These submissions have been reviewed.</p> <p>The Council has no comments to make.</p>
<p>REP3-037/038 LLAL Statement of Common Ground between LLAL and Buckinghamshire Council</p>	<p>This submission has been reviewed – it does not yet fully reflect the matters of concern to the Council that have been raised through the SoCG process. The Council’s position remains as set out in the Deadline 3 covering letter – REP3-079.</p> <p>The Council raises no further comments at this stage, pending further evolution of the SoCG as the Examination progresses.</p>
<p>REP3-039/040 LLAL Statement of Commonality for Statements of Common Ground</p>	<p>This document has been reviewed. The Council notes that the Applicant references an updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party (the Council), with engagement to continue ahead of</p>

Document	Summary of Comments
	<p>Deadline 6 (page 4). The Council agrees with this as an accurate statement.</p> <p>The Council is not in agreement with the Applicant's expression of areas of commonality between the two parties. Specifically, the Council's concerns regarding health and community matters; and cumulative effects, should be reflected in the document, including through an amendment to Table 3.1.</p>
<p>REP3-041/042 LLAL Status of Negotiations – Compulsory Acquisition Schedule</p>	<p>This document has been reviewed. The Council has no comments.</p>
<p>REP3-043/044 LLAL Applicant's response to Written Representations made by Affected Persons at Deadline 1 (Part 3)</p>	<p>This document has been reviewed. The Council has no comments.</p>
<p>REP3-045/046 LLAL Surface Access Noise Modelling Additional Information</p>	<p>This document has been reviewed. It is considered to relate to matters within the host authorities only. The Council has no comments.</p>
<p>REP3-047 LLAL Holiday Inn Acoustic Barrier – Change Notification</p>	<p>This document has been reviewed. The Council has no comments.</p>
<p>REP3-048 LLAL Applicant's Post Hearing Submission – Issue Specific Hearing 1 (ISH1)</p>	<p>This document has been reviewed. The Council's position relating to the ESG is unchanged – the Council wishes to become a member.</p>
<p>REP3-049 LLAL Applicant's Post Hearing Submission – Issue Specific Hearing 2 (ISH2)</p>	<p>The Council raised significant concerns about the fact that CORSIA runs through to 2035 only, whereby the largest effect of long-haul flights within the Applicant's proposition does not start until 2037. The Council submitted written evidence to the post hearing submission in relation to carbon trading and it is for the Applicant to sufficiently address these concerns within its Deadline 4 submission. The Council will respond to those submissions at the appropriate time.</p> <p>In relation to economy, the Council makes three principal points, as follows.</p> <ul style="list-style-type: none"> - There is a need for the ETS to be improved through learning from the experience of implementing current equivalent strategies, with reference to quantitative data.

Document	Summary of Comments
	<ul style="list-style-type: none"> - It is essential for the Council to be directly involved in the ETS, through the LEDWG. - The four Buckinghamshire wards identified following ISH2 should be included as eligible to access the Community First Fund.
REP3-050 LLAL Applicant's Post Hearing Submission – Issue Specific Hearing 3 (ISH3)	<p>This document has been reviewed. The Council has no comments.</p>
REP3-051 LLAL Applicant's Post Hearing Submission – Issue Specific Hearing 4 (ISH4)	<p>This document has been reviewed.</p> <p>The Council makes six principal points, as follows:</p> <ul style="list-style-type: none"> - The Council asserts it is a 'relevant authority' as per the Applicant's definition. On this basis, the Council expects to be invited to engage on transport matters on an equal basis to the other relevant authorities, in a timeframe that allows sufficient opportunity for issues to be resolved. - The traffic modelling relied upon by the Applicant is not adequately validated within the Buckinghamshire area. Consequently, the Council does not currently accept the Applicant's conclusions on direct and indirect traffic impacts reported within the ES. - There is a requirement for the Applicant to produce updated trip distribution diagrams, which should provide 24-hour profiles and be supported by the underlying quantitative flow data. - The Applicant should provide additional detail regarding the STF, to demonstrate that there are sufficient monies to deliver all the expected requirements. - The invitation from the Applicant for the Council to be part of the ATF is welcome – suitable officers have been identified and the Council awaits the next meeting. - Comment on Bus Route 61 is reserved by the Council, pending receipt of an update from the Applicant.
REP3-052 LLAL Applicant's Post Hearing Submission – Issue Specific Hearing 5 (ISH5)	<p>This document has been reviewed. The Council has no comments.</p>
REP3-053 LLAL Applicant's Post Hearing Submission –	<p>This document has been reviewed. The Council has no comments.</p>

Document	Summary of Comments
Issue Specific Hearing 6 (ISH6)	
REP3-054 LLAL Applicant's Post Heading Submission – Compulsory Acquisition Hearing 1 (CAH1)	The submission has been reviewed. The Council notes the Applicant's comments at paragraph 5.1.1(g)(ii) in relation to the inclusion of protective provisions relating to local highway authorities. The Council will continue to engage in the negotiations with the Applicant on this matter and reserves the right to make further comment as negotiations develop.
REP3-055 LLAL Summary of Changes to the dDCO	The content of this submission is noted. Whilst the Applicant has addressed the Council's concerns regarding changes to the Night Quota the remainder of its concerns outlined in its Updated Principal Areas of Disagreement Summary Statement (REP2-045), are still to be addressed.
REP3-056 LLAL Applicant's response to Deadline 2 Submissions (Written Representations)	This document has been reviewed. The Council has no comments.
REP3-057 LLAL Applicant's response to Deadline 2 Submissions (Written Representations) Appendix A – Central Bedfordshire Council	This document has been reviewed. The Council has no comments.
REP3-058 LLAL Applicant's response to Deadline 2 Submissions (Written Representations) Appendix B – Flamstead Parish Council	This document has been reviewed. The Council has no comments.
REP3-059 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission)	This submission has not been reviewed in detail, noting that Appendix D relates to the Council. The Council cross-refers the ExA to the response provided in respect of Appendix D.
REP3-060 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on	This document has been reviewed. The Council has no comments.

Document	Summary of Comments
Deadline 1 submission) Appendix A – LADACAN	
REP3-061 LLAL Applicant’s response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix B – Michael Reddington	This document has been reviewed. The Council has no comments.
REP3-062 LLAL Applicant’s response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix C – Stop Luton Airport Expansion	This document has been reviewed. The Council has no comments.
REP3-063 LLAL Applicant’s response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix C2 – Stop Luton Airport Expansion	This document has been reviewed. The Council has no comments.
REP3-064 LLAL Applicant’s response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix D – Buckinghamshire Council	This submission has been reviewed – it is based on documents that have since been superseded and therefore does not reflect the progression of the Council’s position on principal matters of concern. The Council’s position has progressed to that as set out in the Deadline 3 covering letter (REPO3-079). The Council raises no further comments at this stage, pending further evolution of the Scheme as the Examination progresses.
REP3-065 LLAL Applicant’s response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix E – The Harpenden Society	This document has been reviewed. The Council has no comments.

Document	Summary of Comments
REP3-066 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix F – Friends of Wigmore Park	This document has been reviewed. The Council has no comments.
REP3-067 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Written Representations) Appendix F2 – Friends of Wigmore Park	This document has been reviewed. The Council has no comments.
REP3-068 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Written Representations) Appendix G – Holiday Extras Limited	This document has been reviewed. The Council has no comments.
REP3-069 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix H – Hitchin Forum	This document has been reviewed. The Council has no comments.
REP3-070 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix I – PAIN	This document has been reviewed. The Council has no comments.
REP3-071 LLAL Applicant's response to Deadline 2 Submissions (Comments from Interested Parties on Deadline 1 submission) Appendix J – Paul Farquharson	This document has been reviewed. The Council has no comments.

Document	Summary of Comments
REP3-072 LLAL Applicant's response to Supplementary Agenda Additional Questions – Compulsory Acquisitions Hearing 1 (CAH1)	This document has been reviewed. The Council has no comments.
REP3-073 LLAL Applicant's response to Supplementary Agenda Additional Questions – Issue Specific Hearing 1 (ISH1)	The submission has been reviewed. The Council notes the Applicant's response to ISH1.S2.12 in relation to the inclusion of Natural England as a consultee. The Council maintains its position that the Applicant cannot rule out in its entirety the need for or benefit from consultation with Natural England on relevant matters and cannot see how their inclusion would raise any issues for the Applicant / Operator moving forward.
REP3-074 LLAL Applicant's response to Supplementary Agenda Additional Questions – Issue Specific Hearing 4 (ISH4)	This submission has been reviewed. The Council is concerned that the Applicant's response to ISH4.SA.03. relies on type 2 mitigation within the TRIMMA. This provides no certainty of either the type of quantum of mitigation, conferring the burden of proof upon the local authorities to prove that there is an unmitigated impact once the development has been consented. The Council has raised concerns within the ISH 4 session that the level of funding and provisions within the TRIMMA are not sufficient to meet the requirements.
REP3-075 LLAL Issue Specific Hearing 3 Action 29 Response Paper – Historical Flight Path Information	This document has been reviewed. The Council has no comments.
REP3-076 LLAL Issue Specific Hearing 5 Action 17 Response Paper – Breakdown of Non-Surface Access Emissions	This document has been reviewed. The Council has no comments.
REP3-077 LLAL ISH4 Action 2 Interim Response – Presentation on the Interim Findings of the Covid-19 Modelling Update	This document has been reviewed. The Council makes three principal points, as follows: <ul style="list-style-type: none"> - The modelling hours are 0800 – 18:00. This reflects peak hour traffic, but excludes peak hour flights,

Document	Summary of Comments
	<p>which commence at 07:00. The Council anticipates that the Buckinghamshire network would experience development peak traffic for the morning peak between 2 and 3 hours prior. This will be in the early hours of the morning, when baseline noise levels are much lower. The absence of trip information to allow suitable analysis of the traffic impacts at this time is a concern to the Council.</p> <ul style="list-style-type: none"> - The Buckinghamshire road network is not considered in the local authority networks to be modelled, which means that the longer distance routing is not adequately reviewed. - The Council is concerned that any reduction in the growth used in the modelling will under-estimate the traffic impact of the development across the long-distance commuting routes, one of which is in Buckinghamshire.
<p>REP3-078 LLAL Applicant's Deadline 3 Updates to Comments in Written Representations and Local Impact Reports on DCO Drafting</p>	<p>This document has been reviewed. The Council has no comments.</p>