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London Luton Airport Expansion

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Volume 8 Additional Submissions (Examination)

**8.117 Applicant's Response to Deadline 3 Submission by
Michael P Reddington (AS-156 AND AS-157)**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.117

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

**London Luton Airport Expansion Development Consent
Order 202x**

**8.117 Applicant's Response to Deadline 3 Submission by
Michael P Reddington [AS-156 AND AS-157]**

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1 INTRODUCTION

1.1 Purpose of this document

1.1.1 This document has been prepared by Luton Rising (a trading name of London Luton Airport Limited) ('the Applicant') for submission to the Examining Authority (ExA). It provides the Applicant's response to two submissions accepted at the discretion of the ExA at Deadline 3 by Michael P Reddington [AS-156 and AS-157].

2 APPLICANT'S RESPONSE TO DEADLINE 3 SUBMISSION BY MICHAEL P REDDINGTON [AS-156 AND AS-157]

Table 2.1: Applicant's response to Michael Reddington [AS-156 and AS-157]

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
1	Climate Change / Greenhouse Gases	<p>Para 2. 'Climate Change'</p> <p>The Applicant states that: "The modelling behind the Jet Zero Strategy (and the update) incorporated growth at London Luton Airport at the same level as that proposed by the application"</p> <p>The Applicant implies that simply because the figure of 32mppa is mentioned in the Jet Zero Modelling Framework (2022)-'JZMF' that this somehow supports the Application.</p> <p>JZMF paragraph 1.7 states" No passenger demand forecasts are presented in this document – but a wide range of possible UK aviation CO2e emissions pathways forecasts are presented in Jet Zero: further technical consultation. Although the airport allocation model is a necessary part of the carbon modelling process because of its aircraft forecasting, no detailed analysis of airport forecasts is presented as local competition between airports for international and domestic routes have little material effect on the emissions forecasts at a national level" JZMF paragraph 2.1 states that "It (NAPDM) produces national level estimates of the demand for passenger trips <u>unconstrained by airport capacity</u>."</p> <p>Furthermore, paragraph 3.16 states: "These basic principles apply to airport capacity modelling used in the department's updated aviation modelling suite:</p> <p>* all airports must be given an assumed annual runway capacity (an upper bound on the number of aircraft movements that can be accommodated on a runway); in some cases, runway capacity inputs may have been set by local planning consents or planning proposals.</p> <p>* terminal (passenger) capacity constraints are now only used where there is a current planning restriction in place, or a decision on a current planning application is expected to result in a restriction on passenger numbers.²⁰</p> <p><small>Footnote 20</small> The airports with a consent, application or a planning consultation that have been given a specific planning passenger capacity are London City (11mppa), Luton (32mppa), Stansted (43mppa), Bristol (12mppa), Southampton (3mppa) and Leeds-Bradford (7mppa). All these airports will also be given an assumed annual runway capacity and the airport activity will be limited to whichever of the two capacities ceilings is reached first. "</p> <p>JZMF Paragraph 2.7 third bullet point states: "NAPDM now outputs unconstrained demand of national passenger trips rather than estimates of national terminal</p>	<p>As stated at paragraph 3.3.68 of the Need Case [AS-125] allows for the capacity at the airport to increase up to 32 mppa. For the purpose of the DfT's passenger demand modelling underpinning the <i>Jet Zero Strategy</i> (Ref 1), the Department for Transport assumed that this capacity could be available by 2030. The purpose of setting these capacity limits is so that, if an airport reaches its limit capacity, demand is constrained at that airport and either chooses an alternative (second choice) airport or some passengers may not fly if the cost of using the alternative airport is too high. This is explained at 3.17 to 3.21 of the <i>Jet Zero: Modelling Framework</i> (Ref 2). As is made clear the purpose of the modelling approach adopted is to "to focus on testing the potential of abatement technologies to meet the challenge of net zero, without capacity constraints imposing an extra demand restriction or simply causing emissions to be exported to competing overseas airports."</p> <p>Ultimately, the modelling defines the total amount of growth that can be accommodated consistent with the <i>Jet Zero Strategy</i> assumptions, having regard to the assumptions about the cost of carbon and the costs of its abatement. The significance of the adoption of a capacity limit of 32 mppa for London Luton Airport is that it demonstrates that granting consent for the airport to grow to 32 mppa would not, of itself, impede the ability of the Government to attain its Jet Zero targets for aviation carbon.</p> <p>This is ultimately what was stated in REP2-034 in response to Mr Reddington's earlier representation.</p>

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		<p>passengers (avoiding the need to make assumptions about patterns of transfer – beyond the scope of NAPDM)."</p> <p>JZMF Paragraph 3.20 states: "3.20 The capacity assumptions for runways and for passengers (only where a planning constraint exists) are shown in Annex D and in footnote 21. These capacities should not be confused with forecast throughput" JZMF Annex D: Airport Runway capacity assumptions for carbon modelling" shows 32mppa in Luton by 2030. Clearly this is not going to happen and the figure is merely used to determine maximum carbon budgets, so it is not an endorsement of the 32mppa of the Application. Refer also to Response #3 below</p>	
2	Climate Change / Greenhouse Gases	<p>Para. 3: 'Climate Change'</p> <p>Noted but there is a question on what will succeed CORSIA and how much carbon will need to be offset. Costs of offsetting feed into the passenger demand figures: the more cost, the less demand. There is no certainty as yet that demand will remain unimpacted. 'Jet Zero One-Year-On has cited increasing carbon costs as one of the reasons their passenger demand forecast increase by 2050 has been reduced. Refer to Response #3 below .</p>	<p>It is not correct to say that increases carbon costs were a factor in the Department for Transport's lower passenger projections at 2050 in <i>Jet Zero – one year on</i> (Ref 3). At page 11, the reasons for the change were cited as revised assumptions relating to "inputs on oil prices, GDP and consumption growth, and foreign exchange rates." The carbon price assumptions remain the same as those values used in the original <i>Jet Zero Strategy</i> modelling and adopted in the Applicant's specific demand forecasts for the Proposed Development (see paragraph 6.3.9 of the Need Case [AS-125]).</p> <p>The forecasts referenced in <i>Jet Zero – one year on</i> were based on economic projections published in November 2022, which were more pessimistic than current economic projections. This is explained further in Section 2.2 of REP2-042. The Applicant does not consider there is any requirement to revise its demand projections.</p> <p>In any event, the majority of flights that are forecast to use London Luton Airport are covered by the UK Emissions Trading Scheme. Furthermore, given the international targets to achieve carbon reduction, it does not seem likely that any future programme to succeed CORSIA would be less stringent. The Applicant provided further information on this matter in the Applicant's Response to Issue Specific Hearing 2 Actions 15, 17, 22 and 23: Greenhouse Gases and Climate Change Matters [REP4-078].</p>
3	Climate Change / Greenhouse Gases	<p>Para. 2: 'Climate Change'</p> <p>Jet Zero One-Year-On has actually reduced the increase in predicted passenger demand by 2050 to 53% relative to 2018 (was 70% only a year ago).</p> <p>ExA</p> <p>We would be grateful if the ExA requested the Applicant to justify why they believe their 32mppa forecast (an increase of 78% over 18mppa) is unaffected by Response #1 above and this Response, or if not to produce an amended forecast.</p>	See response at ID 2.
4	Climate Change / Greenhouse Gases	<p>Para. 3: 'Climate Change'</p> <p>Noted, however ANPS Paragraph states:"5.78 The Secretary of State will need to be satisfied that the mitigation measures put forward by the applicant are acceptable, including at the construction stage. "</p>	<p>The Applicant notes that the scope of carbon emissions covered by paragraph 5.78 of the <i>Airports National Policy Statement (ANPS)</i> (Ref 4) cover: "</p> <ul style="list-style-type: none"> • Zero or low-emission hybrid or electric vehicle use (ultra-low emission vehicles), charging and fuel facilities; • Reduced engine taxiing (improved taxiing efficiency); • Reducing emissions from aircraft at the gate;

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			<ul style="list-style-type: none"> • <i>Reduced emissions from airport buildings (for example from lower carbon heating);</i> • <i>Changes to the layout of surface access arrangements; and</i> • <i>Encouraging increased use of public transport by staff and passengers."</i> <p>These relate to airport ground operations and not carbon from aircraft in the air, which are considered at a national level as is made clear in the <i>Jet Zero Strategy</i>. Paragraph 5.80 of the ANPS also sets out the requirements in terms of the construction stage.</p> <p>Subsequently, the <i>Jet Zero Strategy</i> has set out a target for airport operations to be zero emission by 2040 and the Department for Transport has more recently consulted on the precise scope of this target. As stated in the application, the Applicant has committed to meeting this target once the scope has been defined, as set out in the Applicant's response to Written Question CC.1.9 [REP4-055].</p>
5	Climate Change / Greenhouse Gases	Para. 2:' Climate Change' Others have commented on the Environmental issues in more detail so there are no further comments. Closed	Noted.
9	Air Quality	<p>'Air Quality': We can smell and taste the volatile compounds all around our neighbourhood, and there can only be one likely source-the airport. We agree the term 'fuel dumping' in the comment may not be fully descriptive and therefore the Applicant has translated this as 'jettison' and responded accordingly. However we are in no doubt what we can smell and taste. If not caused by jettison, it may be due to some other process such as incomplete combustion or even fire training. Others have complained about this issue too, as well as complaining about sooty deposits from arriving aircraft. Instead of ignoring the comment the Applicant should have asked for more detail but importantly given an undertaking to get out into the field and confirm the situation by experience, as soon as possible. (After all, it has the hallmarks of a volatile compound which by definition will dissipate.)</p> <p>ExA We would be grateful if the ExA would instruct the Applicant to set out how in future they will respond to reports of volatile emissions being detected in the neighbourhood.</p>	<p>A robust air quality and odour assessment has been undertaken in line with methodology and appropriate national legislation, in agreement with local planning authorities and technical working groups. This has been presented in Chapter 7 Air Quality of the ES [AS-076]. The methodology included a baseline odour survey which consisted of sniff testing around the airport and local area. No significant impacts are predicted to occur and no impact to compliance is predicted.</p> <p>The full extent of air quality monitoring is provided in Appendix 7.2 of the ES [APP-062] and includes monitoring of volatile organic compounds, which are relevant to fugitive emissions of fuel. The monitoring results found no exceedances of environmental limits.</p> <p>The Applicant is currently seeking agreement with Luton Borough Council (LBC) on an odour reporting methodology in response to item LBC70 in the Statement of Common Ground with LBC [REP2-020]. The Applicant considers that this will indicate the actions taken in response to odour events being reported.</p>
10	Surface Access	<p>'Surface Access': The Applicant is proposing to implement parking control areas around the airport in order to dissuade opportunistic parking by airport users. Unless the parking control system is free to residents, this is a totally unacceptable situation. Residents will be punished - by having to buy a permit - because of parking charges at the airport. LLAL or LBC - as the beneficiary of the airport's expansion, must fund any such scheme and its enforcement. (Funding could take the form of hypothecated fines).</p> <p>ExA</p>	<p>The implementation of control measures to dissuade on-street parking by airport users is one of a suite of measures that could be implemented to mitigate the effect of the proposed development on the public highway and to promote the usage of sustainable transport for airport journeys. This measure will only be implemented if necessary and if supported by the applicable highway authority.</p>

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		We would be grateful if the ExA would ask the Applicant to confirm they will meet the capital and operational costs incurred by LBC for any such Parking Control Scheme in residential areas.	
13	Noise and Vibration/Compensation	<p>Para. 1 'Noise/Compensation'. It is noted that the monetary value of compensation in the proposed Insulation Scheme is greater than the current Scheme which has a maximum grant of £3,800 per property (2023) and which applies only to properties built before 2014. (Property owners have to make up the difference between the insulation grant and actual costs.)</p> <p>Note that the eligibility criteria are different; for example the Residential Scheme provides insulation to all:</p> <ul style="list-style-type: none"> • 'Habitable' rooms if the Daytime Air Noise is equal to or exceeds 57dB LAeq or if the Daytime Ground Noise is equal to or exceeds 55dB LAeq. • bedrooms if the Night-time Air Noise is equal to or exceeds SAOEL (55dB LAeq) or if the Night-time Ground noise is equal to or exceeds 45dB LAeq. • bedrooms if the airborne noise level is equal to or exceeds 90dB SEL at least once per night. <p>Note there is a significant reduction in eligibility requirements Ground noise insulation relative to Air. The acoustic experts therefore considered Ground noise was to be more problematic.</p>	<p>As the respondent notes, the monetary value of compensation in the proposed Insulation Scheme is greater than the current Scheme, and the eligibility criteria is substantially wider.</p> <p>A separate ground noise insulation scheme has been introduced in Draft Compensation Policies, Measures and Community First [REP4-042] and there is no reduction in eligibility requirements for ground noise.</p> <p>The statement "The acoustic experts therefore considered Ground noise was to be more problematic" is not recognised by the Applicant.</p>
14	Noise and Vibration/Compensation	<p>Para. 2 'Noise/Compensation' With reference to the Statements of Common Ground [TR20001/APP/8.13-8.17] these have been reviewed e.g. North Hertfordshire District Council (NHDC) NHDC95, and all say the same thing: <i>"NHDC agrees with the introduction of the nighttime SOAEL eligibility criteria and accepts the appropriateness of the noise insulation scheme in principle".</i></p> <p>ExA We would be grateful if the ExA could request the Applicant for an explanation of: (1) why a night-time SOAEL eligibility criterion needed to be 'introduced' since this is the time when receptors are most sensitive, and (2) what was the context of selecting this eligibility criterion</p> <p>ExA Please note: Local Authorities (LAs) have only accepted the insulation scheme 'in principle'. Neither the proposed Noise Insulation Scheme extents-by street or property-nor Test Document (Refer to Response #19 below) thoroughly defined and these will need to be secured with the Local Authorities prior to any Planning consent once the detail of the proposed insulation scheme and its implementation have been comprehensively defined as per Response #70 below.</p> <p>Responses have been provided to LA statements of Common Ground</p>	<p>The term 'introduced' simply refers to the fact that the night-time SOAEL eligibility criterion was not part of the proposals at the 2022 Statutory Consultation and has been subsequently introduced.</p> <p>The context of setting the night-time SOAEL (and hence the eligibility criterion for scheme 2) is set out in Section 16.5 of Chapter 16 of the Environmental Statement [REP1-003].</p>

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		as follows: REF2-020 (LBC) REF2-021 (Central Beds) REF2-022 (Hertfordshire) REF2-023 (NHDC) REF2-024 (Dacorum)	
19	Noise and Vibration/Compensation	<p>Para. 4 'Noise/Compensation'</p> <p>The Applicant does not specify how the survey will be carried out on each property prior to works nor give an undertaking to carry out a survey on each property after works have been completed. The Applicant should produce three documents as follows:</p> <ol style="list-style-type: none"> 1. Eligibility Document 2. Offer Letter 3. Test Document <p><u>Eligibility Document</u> This must set out:</p> <ol style="list-style-type: none"> (1) all the criteria which a property (Residential and Non-Residential) must meet in order to be eligible for insulation. <u>The Applicant shall refer to Response #70 in respect of the current eligibility criteria.</u> (2) Define the various insulation Schemes (3) Differentiate Night-time and Day-time Schemes (4) Define monetary limits for each Scheme (5) Confirm that properties may be eligible for both Night-time and Daytime compensation (6) Include but not be limited to, statements about <ul style="list-style-type: none"> • Park homes - refer to Response #69 below; • Listed buildings; • Construction deadline(e.g. buildings later than xxxx will not be eligible) – refer to Response #71 below (7) Schedule of properties and the eligibility status for each Insulation Scheme <p><u>Offer Letter</u> The Offer Letter must</p> <ol style="list-style-type: none"> (1) Have several versions if different measures apply, for example, to Residential and Non-residential properties (2) Be addressed to the titled owner of the property, not just the Occupier. (3) Detail to the addressee the health and safety implications of excess noise on receptors (4) Include reasonable time limit in which to respond (5) Define the cycle time e.g. whether the offer if refused, will be made again in 'x' months or years (6) Promise a follow-up visit in the very near future to confirm with the relevant resident/owner if they require insulation or not. (7) May include a pamphlet which is a summary of the Eligibility criteria. 	<p>Eligibility document – all details regarding eligibility are set out in Draft Compensation Policies, Measures and Community First [REP4-042].</p> <p>Offer letter – this would be sent out to eligible properties as described in Draft Compensation Policies, Measures and Community First [REP4-042] and is not a document that is required to be submitted as part of the examination.</p> <p>Test document - The Draft Compensation Policies, Measures and Community First [REP4-042] states that a proportionate testing policy will be developed to monitor and as necessary improve the quality control of the scheme going forward. The testing policy will be developed in consultation with the London Luton Airport Consultative Committee and having regard to best practice.</p>

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		<p><u>Test Document</u> In the absence of a Best Practice suite (which could have been developed under ICCAN) the Applicant needs to put forward a set of proposals that are indeed reflective of current Best Practice for acoustic testing to include as applicable reference to the WHO Night Noise Guidelines.</p> <p>For example, all noise levels quoted such as SOAEL at 55dBLeq are EXTERNAL noise levels - there is no indication of what noise levels should be expected INTERNALLY, which is where people need minimal noise. Thus there is no measure of insulation efficacy, nor the impact of insulation upon ventilation.</p> <p>The Applicant also needs to consider impacts on non-residential properties within the Test Document.</p> <p><u>ExA</u> We would be grateful if the ExA would instruct the Applicant to provide for comment once the eligibility criteria have been clarified:</p> <ul style="list-style-type: none"> (a) Eligibility Document (b) Offer letter pro-forma (c) Test Document <p>Once approved we would be grateful if the ExA secured all three documents as part of a Planning condition.</p>	
25	Noise and Vibration	<p>'Noise/Fleetmix'.</p> <p>Do not agree. ICAO report (Applicant ref. 3.14) states: <i>"The 2018 contour area is 16,486 square-km. This value decreases to 9,451 square-km in 2020 due to the COVID-19 downturn and increases to 15,530 square-km by 2024. In 2050 the technology freeze (Scenario 1) total global contour area is 31,407 square-km and decreases to 15,196 square-km and 21,570 square-km, with advanced and low technology improvements, respectively"</i></p> <p>In the absolute best case therefore the average 55dBA DNL noise contour reduces only by 334sq.kms out of 15,530 sq.kms (-2%). Worst case, the contour area actually grows by 6,040 sq.kms (+39%) a very significant increase..</p>	<p>The quoted section of the International Civil Aviation Organization report (Ref 5) is referring to the global contour area for 319 airports and how they may change with predicted growth over time. In all scenarios assessed the improvements from individual next-generation aircraft are between 0 and 0.2dB per year. No scenario was assumed in which next-generation aircraft are louder.</p>
28	Need Case	<p>Para. 2 'Planning/Need case'</p> <p>With respect to surface movements, if all airports had similar facilities that argument may have some weight. However Luton Airport has a limited runway length therefore cannot support long-haul flights, so those (Local) passengers wishing to go long haul have to go elsewhere.</p>	<p>As explained at paragraphs 6.3.27 to 6.3.35 of the Need Case [AS-125], the forecast for the number of long haul routes and passengers that are expected to use the airport over the medium to long term have been prepared taking into account the market for such services in the catchment area for which London Luton Airport is the most convenient for passengers and having regard to the limitations on the destinations that could be served given the airport's runway length. The Applicant considers these projections to be reasonable and likely to be realised when Phase 2 of the development is in place.</p>

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29	Noise and Vibration/Compensation	<p>Para. 1 'Noise/Compensation'</p> <p>The Applicant is correct in that take-up statistics are reported. The original point was that there has been no investigation as to why the take-up is so low (<30%).</p> <p>For example could it be:</p> <ul style="list-style-type: none"> (a) The small financial grants which would only go part way towards insulation and the reluctance or inability of householders to pay the difference particularly during a cost-of-living crisis; (b) Lack of detail in the Offer letter to highlight the main reason for the offer - the health impacts of excess noise; (c) Offer letter targeted at 'Occupier' (who may be a tenant) not 'Owner' (d) Residents only given a 30-day window in which to reply otherwise have to wait a further 5 years. (e) Lack of follow-up by the Airport Operator (f) Lack of trust in the Airport Operator/LR/LBC. <p>The Applicant may very well respond that this has nothing to do with his Application but these lessons need to be learned.</p>	<p>It is acknowledged that lessons can be learned from historic performance of noise insulation schemes. The Applicant has engaged with the airport operator and other organisations who have operated insulation schemes for major infrastructure developments to understand practicalities of rollout and uptake of noise insulation scheme. The engagement has resulted in changes and improvements to the noise insulation scheme as summarised in Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079].</p>
37	Construction/ Noise and Vibration	<p>Para. 2 'Construction/Noise'</p> <p>The states: "</p> <p>Noise monitoring is undertaken by the airport operator, LLAOL. LLAOL have three fixed noise monitoring terminals and six portable noise monitoring terminals which they use to measure noise in local communities."</p> <p>The Applicant should confirm the extent to which the statement in paragraph 2 is correct. Noise monitoring which is recorded through the Community Noise Reports is almost exclusively measuring <u>underneath the flight path</u> and is not targeted at Ground Noise.</p> <p>Many of these locations are simply too far away from the Ground Noise source to register at all.</p> <p>ExA</p> <p>We would be grateful for the ExA to instruct the Applicant to provide details of how they intend to monitor all noise sources not just Air Noise, and how this will be recorded going forward.</p>	<p>The statement in paragraph 2 is correct.</p> <p>The eligibility for the ground noise scheme is determined from modelling rather than measurement therefore no monitoring is proposed for the purposes of determining ground noise insulation.</p>
45	Noise and Vibration	<p>'Noise'</p> <p>The Applicant's response implies the barrier performance is different for receptors, frequencies, etc. Clearly some assumptions have been made in order to produce the Ground Noise model so the Applicant must have some specification in mind.</p> <p>ExA</p> <p>We would be grateful if the ExA would instructing the Applicant to advise how they would specify the proposed barrier parameters.</p>	<p>An outline specification for the ground noise acoustic barrier is provided in Outline Ground Noise Management Plan [REP4-049].</p>
46	Noise and Vibration	<p>'Noise'</p> <p>The Applicant's response is vague and passes the responsibility for securing the mitigation to the Consultative Committee.</p>	<p>It is not the case that the responsibility for securing the mitigation is passed to the Consultative committee. The Noise Insulation Sub Committee of the London Luton Airport Consultative Committee has a role in determining the priority of roll out of eligible properties.</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		Refer to Response #81 below.	
52	Noise and Vibration	<p>'Noise'</p> <p>There are several sources of noise: Air, Ground, Surface, Construction etc. each of which will contribute to total noise experienced by receptors. The Applicant advised verbally at ISH3 on 27th September these levels cannot be accumulated. Take for instance Ground Noise and Air Noise. The Applicant has stated (refer to Response #42 above) that <i>"Consequently, in the absence of any specific guidance for ground noise, the assessment methodology for air noise is considered applicable to ground noise."</i></p> <p>With reference to Response # 17 above the CAP 2161 definition of LAeq, T is the <i>"Equivalent continuous sound level, for period of time, T"</i></p> <p>Given the Applicant's response and the CAP2161 definition above, it is difficult to see why the noise levels from ALL sources which relate to this single parameter, equivalent sound level, cannot be summed (using the logarithmic algorithm) to obtain the total noise experienced by receptors, and for the eligibility for insulation to be taken from this total Noise figure.</p> <p>('Dicing and slicing' various noise sources may lead to an artificially low level of receptor noise and insufficient mitigation.)</p> <p>ExA</p> <p>We would be grateful if the ExA could instruct the Applicant to</p> <ol style="list-style-type: none"> (1) explain why noise sources cannot be summed, (2) the technical reasons therefor, (3) in the absence of a satisfactory response to (1) and (2) above develop a mitigation strategy that does not just depend on individual noise sources but on their totality at any given receptor. 	<p>The Applicant considers that the issue raised regarding addition of separate noise source was answered within Applicant's response to Written Questions – Noise [REP4-060], in response to NO.1.18.</p>
53	Noise and Vibration/Green Controlled Growth	<p>'Noise/GCG'</p> <p>Noted that the current insulation Scheme does not form part of the Application but there is still a requirement to insulate properties to the current specification. Given that there are few authorised and experienced noise insulation contractors, there is a risk that programmes could be impacted. Refer to the Programme section in Response #70 below.</p>	<p>The Applicant has provided commentary on the market supply and rollout of the noise insulation scheme in Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079].</p>
61	Noise and Vibration	<p>Para. 1 'Noise/Planning'</p> <p>Section 4 on Noise Insulation does not mention Ground Noise and is therefore deficient.</p> <p>The Applicant is proposing to increase noise levels which is contrary to the Local Plan. The Local Plan prescribes that there be a further noise reduction or no material increase in day or night time noise- which we know there will be. The reader has to look elsewhere to find information on Ground Noise. Refer to Response #70 below.</p>	<p>A separate ground noise insulation scheme has been introduced in Draft Compensation Policies, Measures and Community First [REP4-042].</p> <p>It is not agreed that the Proposed Development is contrary to the Local Plan. Table 16.2 of Chapter 16 of the Environmental Statement [REP1-003] notes how the Proposed Development addresses national and local policies including the Luton Local Plan (Ref 6).</p>
63	Legal	<p>Para. 2 'Noise/Compensation'</p> <p>ExA</p>	<p>Once agreed, the S106 Agreement will be secured through the Development Consent Order.</p>

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		We would be grateful if the ExA would ensure the S106 agreement is provided for comment and when agreed, is secured as part of a Planning Condition.	
64	Noise and Vibration/Compensation	<p>Para. 2 'Noise/Compensation' The Applicant has responded: <i>"The Draft Compensation Policies, Measures and Community First has been updated to include further information on the proactive approach that will be adopted by the Applicant to ensure both knowledge and availability of the offer has been clearly and openly communicated. This will include an online compensation look-up tool post consent that will allow residents to find out which noise insulation scheme they may be eligible for, avoiding the need to interpret contour maps. "</i></p> <p>The Applicant does not advise how the availability of the tool will be made public knowledge.</p> <p>ExA We would be grateful if the ExA would instruct the Applicant to provide the tool for comment (as well as the method of making the public aware of its existence) and upon approval thereof ensure the Look up tool is secured as part of a Planning Condition.</p>	<p>The Applicant considers the issue raised regarding making the lookup tool public before consent for the Proposed Development is granted was answered in Cover Letter Listing Deadline 1 Submissions & Response to Action Points arising from the PM, OFH1 or OFH2 [REP1-001] in response to Open Floor Hearing Action Point 4.</p> <p>The commitment to providing the look up tool is made in Draft Compensation Policies, Measures and Community First [REP4-042] which will be secured via the Section 106 agreement.</p>
65	Noise & Vibration	<p>'Noise/Fleetmix' Do not understand the Applicant's response in respect of where the variations in noise levels are treated in Chapter 16 Noise and Vibration.</p>	The difference in arrival and departure noise is taken into account in all aircraft noise modelling presented in Chapter 16 of the Environmental Statement [REP1-003] .
70	Noise and Vibration/Compensation	<p>'Noise/Compensation' In respect of this current Application, Ground and Air Noise thresholds have been defined in Chapter 16 Table 16.13 and are the same, i.e. Daytime SAOEL = 63dB LAeq; LOAEL = 51dB LAeq Night-time SAOEL = 55dB LAeq; LOAEL = 45dB LAeq.</p> <p>Please refer to Response #52 above in respect of the total amount of Noise experienced by receptors, not just Air Noise.</p> <p>The Applicant's Air Noise Insulation Scheme for Residential Properties as defined in Chapter 16 paragraph 16.10.5 states: Scheme 1 – a full package of agreed noise insulation works to habitable rooms; Scheme 2 – for residential properties inside the 60dB LAeq,16h contour and outside the 63dB LAeq,16h contour, a contribution of up to £20,000 for agreed noise insulation works to habitable rooms; Scheme 3 – for residential properties inside the 55dB LAeq,8h contour and outside the 60dB LAeq,16h contour, a full package of agreed noise insulation works to bedrooms; Scheme 4 – for residential properties inside the 57dB LAeq,16h contour and outside the 60dB LAeq,16h contour, a contribution of up to £6,000 for agreed noise insulation works to habitable rooms; and</p>	The purpose of the referenced figures is to accompany the noise assessment in Chapter 16 of the Environmental Statement [REP1-003] , not to demonstrate eligibility for the noise insulation schemes. This also applies to the figures in Appendix A of Draft Compensation Policies, Measures and Community First [REP4-042] which are clearly marked as indicative.

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>Scheme 5 – for residential properties inside the daytime 54dB LAeq,16h contour and outside the 57dB LAeq,16h contour, a contribution of up to £4,000 for agreed noise insulation works to habitable rooms.</p> <p>The insulation criteria and compensation are a confusion of Day-time eligibility ('habitable rooms') and Night-time eligibility ('bedrooms').</p> <p>We have expended considerable time and energy trying to understand the eligibility criteria defined within the Application-going so far as to print transparencies, scaling them to the best approximation and overlaying the 2027 8h Air contours (Figure 16.16) on 2027 16h Air contours (Figure 16.15). See Figure 1 below this table: "Figure 1: Simplified Air Contour Schematic - Daytime (Red) and Night-time (Blue) for Residential Properties"</p> <p>(Since the Applicant had referred to Figure 16.68 for 2043 in his response we had first tried to do the same for 2043 Air contours-Figures 16.65 and 16.66 but Figure 16.66 omits the 55dBLAeq 8h-SAOEL - contour).</p>	
70 (Cont.)		<p>Whilst on the subject of noise and noise contours, many of the Ground contour drawings appear to contradict themselves in their depiction of LOAEL and SOAEL levels. This could impact eligibility. Examples: 5.03 Chapter 16 Noise and Vibration Figures 16.49 - 16.56 Figure 16.54 and 5.03 Chapter 16 Noise and Vibration Figures 16.77 - 16.82 Figure 16.77</p>	<p>The Ground Noise Contours figures in Environmental Statement Chapter 16 Figures [AS-103 – AS-119], including the two examples given, do not contradict themselves. In the legend, the LOAEL, SOAEL and UAEL are defined as in the Chapter 16 of the Environmental Statement [REP1-003] Table 16.13, and contour colour bands are defined by ranges that include the correct LOAEL, SOAEL and UAEL levels.</p>
70 (Cont.)		<p>The Applicant responds that Paragraph 16.9.147 refers to the 3,350 properties between the night-time LAOEL and SAOEL in Assessment Phase 1 that would be eligible for compensation. This is incorrect. Paragraph 16.9.147 actually states:</p> <p><i>"16.9.147 During the night-time, of the population of 3,250 exposed to noise between the SOAEL and UAEL experience noise increases of 1-2.9dB corresponding to a minor to moderate adverse effect resulting in an adverse likely significant effect as the exposure is above SOAEL. This population is illustrated in Figure 16.68 in this ES [TR020001/APP/5.03] and includes the community areas listed in Table 16.53. This population would be eligible for a full package of noise insulation which would avoid the significant effects (see Section 16.10 and Section 16.11). By assessment Phase 2b noise insulation will have been rolled out to all the communities in Table 16.53 should they take up the offer in a timely manner. "</i></p> <p>BUT if one studies the 'Scheme 3' details and Figure 1 below, it becomes obvious that something is seriously wrong. Scheme 3 only applies to properties with Night-time Noise levels between contours defined by 55dBLAeq 8h (SOAEL) and Daytime contour 60dBLAeq 16h.</p>	<p>'Habitable rooms' includes bedrooms, living rooms and dining rooms, as stated in paragraph 6.1.8 of Draft Compensation Policies, Measures and Community First [REP4-043] (see also for further details). Therefore, the statements made regarding lack of compensation for night-time noise are not correct.</p> <p>In the first example cited, if a residential property is above the 60dBL_{Aeq,16h} and the night-time 57dBL_{Aeq,8h} contour, they would be eligible for Scheme 2 and a contribution of up to £20,000 to habitable rooms, which includes bedrooms. It is therefore not true that there is no compensation for night-time noise.</p> <p>In the second example cited, again it is not the case that the money cannot be spent on insulating bedrooms – habitable rooms includes bedrooms.</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>In other words if the Night noise level experienced by a receptor is greater than the contour defining 60dB LAeq, 16h (for example 57dB LAeq 8h) there is NO compensation for Night-time Noise.</p> <p>This is clearly wrong and actually contradicts 16.9.147 which implies that all properties subject to Night-time noise level in excess of SOAEL up to UAEL will be eligible for Scheme 3.</p> <p>In addition it is implied that the 3,250 residences could receive 'Scheme 3' compensation only. However, depending upon their Daytime exposure (anything from 57dB LAeq upwards) they should <u>also</u> be eligible for Daytime 'Scheme 4' through to 'Scheme 1'.</p> <p>Paragraph 16.9.146 states: <i>"16.9.146 During the night-time, the population of 59,550 exposed to noise between the LOAEL and SOAEL experience noise increases of less than 3dB corresponding to a negligible to minor adverse effect which is not significant. Of this population, the 13,250 outside the night-time SOAEL but inside the 54dB LAeq, 16h contour would be eligible for noise insulation (see Section 16.10 and Section 16.11)."</i></p> <p>This paragraph would seem to imply that any property with a Night-noise level just below SOAEL of 55dB LAeq 8h (for example 54dB LAeq 8h) - only 1dB below SAOEL - would be eligible for 'Scheme 4' or £6,000, a Daytime compensation; whereas a night-time level of 51dB LAeq 8h would be eligible for Day-time Scheme 5, or £4,000.</p> <p><u>But, this money cannot be spent on insulating bedrooms as it applies to 'habitable' rooms only!</u></p> <p>This seems iniquitous bearing in mind that receptors are more sensitive to 54dB LAeq 8h-only 1dB below SOAEL - than they are to 54dB LAeq 16h. Yet compensation is payable for Day-time noise down to 54dB LAeq which is 9dB below SOAEL and there is no Night-time compensation at all below SOAEL.</p> <p>The Applicant should revisit these proposals immediately and come up with a more equitable solution.</p>	
70 (Cont.)		<p>One further observation, on Programme. Chapter 16 paragraph 16.9.147 slips in the following: <i>"... By assessment Phase 2b noise insulation will have been rolled out to all the communities in Table 16.53 should they take up the offer in a timely manner."</i></p> <p>The Applicant is stating that it could take him up to 2043 to provide insulation to homes in Phase 1 with noise levels above SOAEL! This is unacceptable and only goes to demonstrate the Applicant's lack of</p>	<p>Paragraph 16.9.147 of Chapter 16 of the Environmental Statement [REP1-003] does not state that it could take up to 2043 to provide insulation to homes above SOAEL. It states that in 2043 the insulation rollout will have been completed (i.e. it will have been completed before this).</p> <p>The Applicant has provided information in Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079] that it expects to be able to deliver air noise</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>concern for resident's health. This gives a lie to previous statements where the Applicant was going to 'prioritise' insulation for worst-affected homes. e.g. Page 173 paragraph 2: "The Draft Compensation Policies Measures and Community First document contains a commitment, in paragraph 6.1.14 to prioritise the most affected properties within the latest 63dB LAeq, 16h and 55dB LAeq, 8h contours and introduce each scheme as efforts to insulate those in worst affected contours are complete. "</p> <p>And in response in REP2-034 Page 216 Row 2: "The Applicant is making a commitment to prioritise areas for noise insulation based on those most significantly impacted. Whilst roll-out will be proactively managed by the airport operator a programme has not been specified because the take up rate and speed of take up cannot be regulated by the Applicant (see Draft Compensation Policies Measures and Community First [TR020001/APP/7.10] "</p> <p>The Applicant must provide an undertaking to ensure that mitigation is in place before the anticipated noise level increases begin. A suitable Programme for insulation needs to be submitted for comment forthwith.</p>	<p>Schemes 1, 2 and 3 within four years of commencement of the Proposed Development.</p>
70 (Cont.)		<p>ExA We would be very grateful for the ExA to instruct the Applicant to do the following:</p> <ol style="list-style-type: none"> 1. Carry out a check on the Noise Contour drawings and amend as necessary 2. Revisit the mitigation measures and come up with a clearer and more equitable proposal for Night-time Noise 3. Assess any consequential impacts on Non-residential properties compensation and update DCO Application as necessary 4. Provide an undertaking to ensure that noise mitigation is in place before the anticipated noise level increases begin. 5. Provide a Programme of insulation that prioritises the Significant health impacts on residents <p>ExA We would be grateful if the ExA would secure Items 4,5 and 6 as a Planning Condition once approved .</p>	<ol style="list-style-type: none"> 1. The Applicant does not believe an update of noise contours is required for the reasons described above. 2. The Applicant does not believe an update of night-time noise proposals are required for the reasons described above. 3. It is not clear what assessment is being requested. Insulation for non-residential properties is set out in Draft Compensation Policies, Measures and Community First [REP4-043] 4. The Applicant's commitment to rolling out the noise insulation scheme as fast as reasonably practicable is considered to be fully compliant with noise policy. 5. See Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079]
71	Noise and Vibration/Compensation	<p>'Noise/Compensation' The Applicant advises that the eligibility cut-off date is for properties built before October 2019 (i.e. by 30th September 2019), the year of first Statutory Consultation. This appears draconian since it excludes buildings granted Planning Permission by LBC - and other Local Authorities (LAs) - but not built. at that date. Secondly, a Statutory Consultation should not constitute a line in the sand for Planning, as the requirements may change subsequently AND Planning departments in local authorities must have advised builders of these conditions in advance of construction, as part of Planning Permission.</p>	<p>a) The date of October 2019 is a prior knowledge date because from that point those planning to develop within the airport area will have been aware of the Applicants proposals for expansion of the airport. The inclusion of a prior knowledge date is well established as a principle when promoting nationally significant infrastructure projects, particularly when discretionary schemes are being planned and the promoters want to eliminate potential for cost increases which are outside its control.</p> <p>b) confirmation of whether the relevant local planning authorities advised planning applicants is a matter for the LPAs to respond to.</p>

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
		<p>ExA We would be grateful if the ExA could instruct the Applicant to:</p> <ul style="list-style-type: none"> (a) provide detailed reasons for the selection of this cut-off date and (b) confirm with LBC Planning and other LAs whether they too advised relevant parties of the changes to conditions at that time. 	
77	Noise and Vibration/Compensation	<p>'Noise/Compensation' The Applicant has replied that the 5 years refers only to readjustment of contours. However the Noise Insulation Scheme Policy document dated November 2021 states: "If the owner does not wish to proceed at this stage no further approaches will be made for a five year period." This 'cycle' period needs to be defined and recorded. Refer to Response #19 above in respect of the Offer Letter'</p>	See Draft Compensation Policies, Measures and Community First [REP4-043] in which changes have been made to set out the process the Applicant will follow to maximise take up of the scheme once launched. See paras 6.1.36 to 6.1.52
78	Noise and Vibration/Compensation	<p>'Noise/Compensation' Noted that eligible Listed Buildings will be insulated using LLAOL's contractor and that no additional compensation will be paid.</p>	See Draft Compensation Policies, Measures and Community First [REP4-043] in which changes have been made to enhance the position regarding listed buildings at paragraph 6.1.17 and 6.1.18.
81	Noise and Vibration/Compensation	<p>'Noise/Compensation' The Committee has no executive powers so cannot influence outcomes for residents. LLAOL have the final say as to budget (unknown), timing (unknown), priorities (unknown). The Committee needs 'teeth'. ExA We would appreciate if the ExA could instruct the Applicant to provide:</p> <ul style="list-style-type: none"> (1) The Structure (members) of the Noise Insulation Sub-committee (NIS) of the Consultative Committee (2) A list of the powers of the each member of the Consultative Committee (3) Who has a casting vote if there is such a process (4) A definition of who sets out the Programme and how, and how it can be challenged (5) A definition who sets the budgets and why, and how it can be challenged (6) an undertaking that the Committee will have oversight of LLAOL's insulation programme (7) provide a timeline for a programme which sets out ALL insulation mitigation works, such Programme to be secured as part of a Planning condition. 	<p>The membership of the Noise Insulation Sub-committee is made up of a subset of the London Luton Airport Consultative Committee (LLACC). The sub-committee also have a chairman present who is the same chairman on the LLACC. The Constitution and Standing Orders for the LACC are attached in Appendix A. The Consultative Committee do not have executive powers, nor is this considered necessary for the delivery of the proposed insulation scheme under the DCO. As noted in Draft Compensation Policies, Measures and Community First [REP4-043], the LLACC will be provided data on eligible properties and public buildings under the various noise insulation schemes and will determine the priority for the rollout, in accordance with the priorities specified in Draft Compensation Policies, Measures and Community First [REP4-043]. The monetary contributions for each insulation scheme are set by the Applicant. Information on the delivery program is provided in Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079].</p>
84	Noise and Vibration/Compensation	<p>Para. 1 'Noise/Compensation' We have seen no evidence of post-installation testing under the current Scheme . Could the Applicant please ask LLAOL to provide.</p>	This comment relates to the current insulation scheme administered by the airport operator. The airport operator has confirmed that whilst there is no obligation to test following installation of insulation provided under the current policy sample testing has been carried out where it has been possible to gain access to properties post-installation. Queries regarding the current scheme should be directed to the airport operator via the London Luton Airport Consultative Committee Noise Insulation Sub Committee.

I.D.	Topic	Deadline 3 submission (Verbatim)	Luton Rising's Response
87	Noise and Vibration	<p>'Noise'</p> <p>This comment was raised to demonstrate that not only is the Current Noise Action Plan (NAP) incorrect, but that the Draft NAP for 2024-2028 appears also to be in error. The Applicant advised at the ISH3 hearing on 27th September 2003 that this document was out for comment. The Applicant should review and correct such errors AND to include actions in respect of measurements of Ground and other noise sources, not just Air Noise.</p> <p>ExA</p> <p>It would be appreciated if the ExA will instruct the Applicant to ensure the NAP for 2024-2028 is reviewed and amended as above.</p>	<p>This comment is not understood and it is not clear what is 'incorrect' or 'in error' with regards to the Noise Action Plans. Regardless, the Noise Action Plan is produced by the Airport Operator, not the Applicant.</p>

REFERENCES

- 1 Department for Transport (2022) Jet Zero Strategy: Delivering net zero aviation by 2050
- 2 Department for Transport (2022) Jet zero: modelling framework
- 3 Department for Transport (2023) Jet Zero strategy: one year on
- 4 Department for Transport (2018) Airports National Policy Statement
- 5 International Civil Aviation Organization (2022), Environmental Trends in Aviation to 2050
- 6 Luton Borough Council (2017), Local Luton Plan 2011-2031

GLOSSARY AND ABBREVIATIONS

Term	Definition
ATM	Air Traffic Movement
ICCAN	Independent Commission on Civil Aviation Noise
JZMF	Jet Zero Modelling Framework
LA	Local Authority
LBC	Luton Borough Council
LR	Luton Rising
LOAEL	Lowest Observable Adverse Effect Level
LLA	London Luton Airport
LLAOL	London Luton Airport Operations Limited
NAP	Noise Action Plan
NAPDM	National Air Passenger Demand Model-econometric model of unconstrained trip demand by passenger markets
NIS	Noise Insulation Sub - committee (of the Consultative Committee)
NOEL	No Observable Effect Level
mppa	million passengers per annum
SOAEL	Significant Observed Adverse Effect Level
UAEL	Upper Adverse Effect Level
UKHSA	UK Health Security Agency

APPENDIX A – LLACC CONSTITUTION AND STANDING ORDERS

CONSTITUTION AND STANDING ORDERS

Revised 13 October 2008

Amended April 2012

Amended April 2015

[Note: this Constitution and these Standing Orders shall adopt the defined terms set out in Schedule 4.]

PART A

CONSTITUTION

1 Terms of Reference

1.1 The London Luton Airport Consultative Committee (the “Committee”) is an advisory body constituted in respect of London Luton Airport (the “Airport”) in accordance with section 35 of the Civil Aviation Act 1982 (as amended).

1.2 The Committee terms of reference and purpose are as follows:

- to enable aerodrome operators, communities in the vicinity of the aerodrome, local authorities, local business representatives, aerodrome users and other interested parties to exchange information and ideas;
- to allow the concerns of interested parties to be raised and taken into account by the aerodrome operators with a genuine desire on all sides to resolve any issues that may emerge; and
- to complement the legal framework within which the aerodrome operates.

However, consultation is not intended to detract from or constrain the responsibility of the aerodrome owner and/or operator to manage the aerodrome, nor to prevent interested parties from raising concerns directly with the aerodrome or through other channels.

2 Membership of the Committee

[Note: the Civil Aviation Act 1982 governs the constitution of the Committee and this Standing Order is subject to section 35 of the Act.]

Composition of the Committee

2.1 The Committee shall consist of representatives of the Member organisations listed in Schedule 1a and such other Members who are accepted for membership in accordance with paragraphs 2.10 to 2.14.

- 2.2 Each Member shall be entitled to appoint such number of representatives for the Committee as is set out in Schedule 1 by notice in writing to the Administrator.
- 2.3 In the event of any change the Administrator shall update Schedule 1a immediately to ensure that it accurately reflects the Membership of the Committee and the names of the nominated representatives.
- 2.4 If a representative of any Member organisation shall fail to attend (or be represented at) three consecutive Committee meetings, that Member's right of representation on the Committee or any Sub-Committee will be deemed to have lapsed and the Secretary shall inform the Member organisation and update Schedule 1a accordingly. The Chairman will, if required, adjudicate after consultation with the Committee. However, it will be the duty of the Administrator to advise the Member organisation, in writing, after any Member has missed two meetings.
- 2.5 The Membership of the Committee will be reviewed by the Committee at its Annual Meeting.
- 2.6 A Member may resign at any time in writing to the Administrator who will report the resignation to the Committee and update Schedule 1a accordingly.

Substitutes

- 2.7 A representative who is unable to attend a Meeting may send a substitute to the Meeting.
- 2.8 At the beginning of each meeting all substitutes, if not mentioned during 'Apologies', will identify themselves to the Chairman.
- 2.9 Substitutes shall, for all purposes, be bound as representatives and may speak and vote at Meetings.

Applications for Membership

- 2.10 The Administrator will circulate applications for Membership to the Committee for review in advance of the Meeting at which the application is to be considered.
- 2.11 Applications to join the Committee from companies, organisations or groups should contain details of particular interest in securing membership, the history of the body, its constitution, membership and terms of reference and must be received by the Administrator no later than 14 days prior to the Meeting.
- 2.12 Admission of any company, organisation or group shall be decided on by a simple majority of the votes cast at the Meeting at which the relevant application is considered.
- 2.13 In determining an application for membership the Committee shall consider the following:-
- (a) the provisions of Section 35 of the Civil Aviation Act 1982 (or any statutory modification or re-enactment thereof);
 - (b) the Guidelines for Airport Consultative Committees issued by the Department for Transport (the "DfT Guidelines") ;
 - (c) the status of the applicant (e.g. local authority, town council or residents

- association);
 - (d) the objectives of the applicant (e.g. its statutory function or its purpose by reference to a constitution and its particular interest in securing membership of the Committee);
 - (e) the membership of the applicant by reference to the number of members and the geographical area covered;
 - (f) the existing membership of the Committee and in particular:
 - (i) whether or not a member of the Committee already represents this interest to which the applicant refers;
 - (ii) the balance of representation in the Committee (e.g. by geographical area and/or by population); and
 - (iii) the size of this Committee and its ability to function effectively.
- 2.14 A representative of an applicant may speak for up to 5 minutes at any Meeting at which its membership is being considered.

3 Officers of the Committee

Chairman

[Note: The Civil Aviation Act 1982 empowers the Airport Operator to appoint the Chairman of the Committee and this Standing Order is subject to that power.]

- 3.1 The Chairman shall be independent and shall be appointed by the Airport Operator subject to consultation and formal approval by the Committee.
- 3.2 The Chairman's role is to preside over Meetings of the Committee.
- 3.3 The Chairman's term of office is for a period of 3 years, renewable for further periods of three years. Any time spent served as Joint Chairman is to be counted when reckoning time in office. In accordance with DfT Guidelines the Committee should consider limiting a Chairman's total period in office to 10 years. While the appointment is in the gift of the Airport operator, acceptance by the Members will be indicated by a simple majority of votes cast at the Meeting by a show of hands.
- 3.4 When considering the appointment of a new Chairman, the Airport Operator will seek nominations for the position from persons who are independent of the Airport Operator but with a record of public service and an interest in aviation. When the process to appoint a new Chairman of the Consultative Committee is commenced, the Vice Chairman shall be given a reasonable opportunity to help confirm that an appropriate process is followed. The Vice Chairman shall take no part in the selection and shall not divulge the name of any candidate.
- 3.5 In circumstances where there is a Joint Chairmanship, the Joint Chairmen will only have one (casting) vote on the Committee.
- 3.6 The name and address of the current Chairman of the Committee, together with the Chairman's date of appointment and review date, are found in Schedule 3 of this Constitution.

Vice-Chairman

- 3.7 The Vice-Chairman shall be elected from the membership of the Committee for a one year term at the Annual Meeting.

- 3.8 The Vice-Chairman must be nominated and seconded before his or her nomination is put before the vote of the Committee.
- 3.9 Nominations for the position of Vice-Chairman must be received by the Administrator of the Committee at least two weeks before the Annual Meeting.
- 3.10 The Administrator will circulate details of the nominations received to the Committee with the Agenda for the Annual Meeting, if there are no nominations the matter will be resolved at the Meeting.
- 3.11 The existing Vice-Chairman can be re-elected for further terms.
- 3.12 The Vice-Chairman will act as the substitute for the Chairman at meetings where the Chairman is unable to attend and in such circumstances will act in an independent and impartial manner and will not have a separate vote as Vice-Chairman.
- 3.13 The name and address of the current Vice-Chairman of the Committee, together with the Vice-Chairman's date of appointment are found in Schedule 3 of this Constitution.

Administrator

- 3.14 The Administrator will be appointed by the Airport Operator in consultation with the Committee and after consideration of the DfT Guidelines (attached at Schedule 2 for ease of reference).
- 3.15 In the event of a change, the Administrator shall update Schedule 3 immediately to ensure that it is an accurate record of the name and address of the Chairman, Vice Chairman and Administrator of the Committee.
- 3.16 The Administrator will take the minutes at the Meetings and record the decisions of the Committee. The Administrator will circulate the draft minutes, together with the relevant agenda and papers, seven days prior to the next formal meeting of the Committee.
- 3.17 The Administrator will deal with all correspondence addressed to the Committee in the first instance.
- 3.18 The name and address of the current Administrator are found in Schedule 3 of this Constitution.

4 Expenses and budgets

- 4.1 Where Members attend as representatives of a local authority or other organisation, that body will meet its representative's expenses.
- 4.2 The Airport Operator will meet the travelling expenses of the Chairman.
- 4.3 Where travelling expenses are met, it is on the basis of the cost of public transport
- 4.4 The Airport Operator will meet the reasonable secretarial and administrative costs of the Committee.
- 4.5 The Committee may maintain a fund of Member contributions from which additional items of expenditure approved by the Committee (e.g. the appointment of an independent noise consultant) are met.
- 4.6 Where financial contributions are required, the following members of the Committee will be levied in proportion to the number of their representatives and reviewed annually:
- Buckinghamshire County Council
 - Central Bedfordshire Council
 - Hertfordshire County Council
 - Luton Borough Council
 - Aylesbury Vale District Council
 - Dacorum Borough Council
 - North Hertfordshire District Council
 - St. Albans District Council
 - Stevenage Borough Council
- 4.7 Any financial contributions required will be set at the AGM for the following financial year.

5 Amendment and Interpretation of the Constitution

- 5.1 This Constitution may and shall be deemed to be amended by formal resolution by at least two thirds of the votes cast.
- 5.2 The independent Chairman, if required, will adjudicate, after consultation with the Committee on questions on constitutional matters.
- 5.3 Every Member shall be entitled to receive notices of Meetings at the usual address of such Member as notified in writing to the Administrator from time to time.
- 5.4 Notices may be sent by any visible form on paper including facsimile and electronic mail and a notice sent by such forms of immediate transmission shall be deemed given at the time of transmission. A notice given by post (which may be first or second class) shall be deemed to have been received 2 days (if sent by first class post) or 4 days (if sent by second class post) after posting.

PART B

STANDING ORDERS

6 Meetings

Timing

- 6.1 Ordinary Meetings shall be held quarterly in April, July, October and January each year, normally on the second Monday afternoon in that month or such date in the relevant month as shall be notified in writing by the Administrator to the Members at least 21 days prior to the Meeting.
- 6.2 The Committee's Annual Meeting shall be held in October each year or such date as shall be notified in writing by the Administrator to the Members at least 21 days prior to the date of the Meeting.
- 6.3 The Chairman is authorised to cancel an Ordinary Meeting by at least 7 days notice in writing in circumstances where at the Chairman's discretion there is insufficient business to merit the Meeting.
- 6.4 An Extraordinary Meeting may be held at the discretion of the Chairman or if the Administrator receives a written request for such an Extraordinary Meeting from at least five members. The Administrator shall notify the Members at least 21 days prior to the date of any Extraordinary Meeting.

Procedure at Meetings

- 6.5 At a meeting the Committee will usually:
- (a) Amend, if appropriate, the draft minutes of the previous meeting and approve as a correct record;
 - (b) Receive minutes of the Sub-Committees;
 - (c) Consider regular reports on the following:
 - (i) Airport Managing Director's Statement;
 - (ii) Quarterly Planning, Environmental Management & Surface Access Report;
 - (iii) Quarterly Monitoring Report; and
 - (iv) Quarterly Economic Report;
 - (d) Consider any other business specified on the agenda.
- 6.6 The Chairman's ruling on procedural matters shall be in accordance with the Constitution and will be final and binding on the Members.

Code of Conduct

- 6.7 The DfT Guidelines set out a Code of Conduct for Committees which are adopted in full by the Committee. They are:
- Respect: Committee members should treat each other with respect and courtesy at all times.

- **Commitment:** Committee members should dedicate sufficient time to prepare for and attend meetings, including seeking advice and views from others in their organisation where appropriate.
- **Conflicts of Interest:** Members should identify and declare any conflicts of interest (actual, potential or perceived), particularly where members do not represent an organisation.
- **Participation:** Members should participate fully in meetings. They should listen to what others have to say and keep an open mind while contributing constructively to discussions. Actions assigned to members should be fulfilled in a timely manner and progress reported back at the next meeting.
- **Openness and Accountability:** Members should be open and accountable to each other and the organisations and communities they represent about their work on the committee.
- **Confidentiality:** Members should respect the status of any confidential issues they discuss.

Agenda and Supporting Papers

- 6.8 Members shall notify the Administrator in writing of any major matter which they wish to raise at a Meeting 14 days before the Meeting for inclusion on the agenda and shall provide paperwork which supports their notification.
- 6.9 The Administrator shall circulate the agenda and supporting papers to Members electronically or by other written means to be received approximately 7 days before the Meeting. Members shall notify the Administrator if they wish to receive the agenda and supporting papers in hard copy.

Quorum

- 6.10 No business shall be conducted at a Meeting unless at least five Members are present.

Voting

- 6.11 In keeping with DfT Guidelines for ACCs (see Schedule 2) it is expected that all business will be decided through consensus and the Committee should only vote on issues of membership. Where appropriate, voting will be decided by a simple majority of votes cast at a Meeting by a show of hands.
- 6.12 The Chairman of the Meeting shall not vote but will have a casting vote where the votes are equal.

Attendance of the Public

- 6.13 The public and representatives of the press may attend and observe Meetings but the Committee reserves the right for the discussion of any particular item to take place in private if, at the discretion of the Chairman, such a direction is appropriate having regard, for example, to the confidential nature of that item.

7 Sub-Committees

- 7.1 The Committee may from time to time appoint such Sub-Committees as appropriate to assist the work of the Committee and shall determine their Terms of Reference.

- 7.2 All issues within the remit of a Sub-Committee will be considered in the first instance by that Sub-Committee unless the matter is urgent and a meeting of the Committee falls before the next meeting of the relevant Sub-Committee.
- 7.3 At present two Sub-Committees exist – the Noise and Track Sub-Committee and the Passenger Services Sub-Committee.

The Noise and Track Sub-Committee

- 7.4 The Noise and Track Sub-Committee's terms of reference are:
- (a) to consider on its own initiative or by direction of the Consultative Committee any question in connection with the Airport affecting noise and flight paths;
 - (b) to act as an advisory body to the Consultative Committee on such matters; and
 - (c) to report to the Consultative Committee on their considerations and, where appropriate, to make recommendations.
- 7.5 The Noise and Track Sub-Committee shall meet quarterly, normally at least four weeks prior to the full LLACC Meeting.
- 7.6 The Noise and Track Sub-Committee shall comprise the Chairman, Vice-Chairman and up to 10 members of the Main Committee, together with non voting members as detailed in Schedule 1(b) or their substitutes.
- 7.7 The Committee members of the Noise and Track Sub-Committee shall be elected at the Annual Meeting of the main Committee.

The Passenger Services Sub-Committee

- 7.8 The Passenger Services Sub-Committee's terms of reference are:
- (a) To consider on their own initiative, or by directions of the Consultative Committee, any questions in connection with the Airport affecting passengers/user interests.
 - (b) To monitor the facilities available to passengers; taking special note of the requirements for those with reduced mobility.
 - (c) To identify any issues arising from passenger experiences and make recommendations.
 - (d) To consider procedures for handling and responding to passenger complaints.
 - (e) To provide a passenger overview on airport developments at the design stage.
- 7.9 The Passenger Services Sub-Committee shall meet quarterly, normally at least four weeks prior to the full LLACC Meeting.
- 7.10 The Passenger Services Sub-Committee shall comprise the Chairman, Vice-Chairman and up to 10 members of the Main Committee, together with invited specialists such as the UKBA, and non voting members as detailed in Schedule 1(c) or their substitutes.
- 7.11 As the Passenger Services Sub-Committee is a voluntary committee there is no requirement for the members to be elected at the Annual Meeting of the main Committee, but the Committee will note the membership at that time.

Schedule 1(a)

Membership of London Luton Airport Consultative Committee

Members	Number of Representatives	Name of Current Representatives
Independently appointed Chairman	1	Mr Martin Routledge
Buckinghamshire County Council	2	CLr Netta Glover CLr Avril Davies
Central Bedfordshire Council	2	CLr Dr Rita Egan CLr David Bowater
Hertfordshire County Council	2	CLr David Barnard CLr David Williams
Luton Borough Council	2	CLr Michael Dolling CLr David Taylor
Aylesbury Vale District Council	1	CLr Sir Beville Stanier
Dacorum Borough Council	1	CLr David Collins
North Hertfordshire District Council	1	CLr Michael Muir
St. Albans City & District Council	1	CLr Albert Pawle
Stevenage Borough Council	1	CLr Joan Lloyd
Bedfordshire Association of Town and Parish Councils	1	Vacant
Buckinghamshire and Milton Keynes Association of Local Councils	1	CLr Rachel Webb
Hertfordshire Association of Parish and Town Councils	1	Vacant
Luton and District Association for the Control of Aircraft Noise (LADACAN)	1	Dr John Davis
London Luton Airport Town & Villages Communities Committee (LLATVCC)	1	Mr Michael Nidd
People Against Aircraft Intrusive Noise (PAIN)	1	Mr David Godfrey
Breachwood Green Society	1	Mrs Lis Greet

Members	Number of Representatives	Name of Current Representatives
General Aviation Representative (BBGA)	1	Mr Kerry Besgrove
easyJet Airline Company Limited	1	Mr Huw Thomas
Airline Operators (other than easyJet Airline Co Limited)	1	Vacant
Chamber of Commerce	1	Mrs Cheryl Smart
National Air Traffic Services (NATS)	1	Mr David Heely
London Luton Airport Branch TGWU	1	Mr Glen Gayle
Freight Airline Representative	1	Mr Peter Hewett

Non Voting Members	Number of Representatives	Name of Current Representatives
LLAOL Managing Director	1	Mr Nick Barton
LLAOL Operations Director	1	Mr Neil Thompson
LLAOL Finance Director	1	Mr Elliot Renton
LLAOL Airline Service Delivery Manager	1	Mr James Dontas
LLAOL Airfield Environment Manager	1	Ms Tessa Beadman
LLAOL Airfield Environment Officer	1	Mrs Karen Goodman
Bickerdike Allen Partnership	1	Mr Jeff Charles
Central Bedfordshire Council	1	Vacant
Buckinghamshire County Council	1	Mr Darl Sweetland
Hertfordshire County Council	1	Mr Paul Donovan
Aylesbury Vale District Council	1	Mr Richard Hiscock

Non Voting Members	Number of Representatives	Name of Current Representatives
Dacorum Borough Council	1	Ms Laura Wood
Luton Borough Council	1	Ms Wendy Rousell
North Hertfordshire District Council	1	Ms Naima Ihsan
St Albans City & District Council	1	Mr Manpreet Kanda
Stevenage Borough Council	1	Ms Caroline Danby

Schedule 1(b)

Membership of London Luton Airport Consultative Committee Noise & Track Sub Committee

Members	Number of Representatives	Name of Current Representatives
Chairman	1	Mr Martin Routledge
Vice-Chairman & North Hertfordshire District Council	1	Cllr Michael Muir
Hertfordshire County Council	1	Cllr David Williams
Central Bedfordshire Council	1	Cllr David Bowater
Aylesbury Vale District Council	1	Cllr Chris Poll
St Albans District Council	1	Cllr Albert Pawle
Dacorum Borough Council	1	Cllr David Collins
Hertfordshire Association of Town and Parish Councils	1	
Airline Operator	1	Rotational
Freight Airline Operators	1	Mr Peter Hewitt
London Luton Airport Town & Villages Communities Committee (LLATVCC)	1	Mr Michael Nidd
Luton and District Association for the Control of Aircraft Noise (LADACAN)	1	Mr Andrew Lambourne
People Against Aircraft Intrusive Noise (PAIN)	1	Mr David Godfrey

Non Voting Members	Number of Representatives	Name of Current Representatives
LLAOL Operations Director	1	Mr Neil Thompson
LLAOL Airline Service Delivery Manager	1	Mr James Dontas
LLAOL Airfield Environment Manager	1	Ms Tessa Beadman
LLAOL Airfield Environment Officer	1	Mrs Karen Goodman
Bickerdike Allen Partners	1	Mr Jeff Charles
Aylesbury Vale District Council	1	
Central Bedfordshire Council	1	
Hertfordshire County Council	1	Mr Paul Donovan
Luton Borough Council	1	Ms Wendy Rousell

NATS Luton	1	Mr David Heeley
NATS Terminal Control	1	Mr Andrew Burke

Schedule 1(c)

Membership of London Luton Airport Consultative Committee Passenger Services Sub Committee

Members	Number of Representatives	Name of Current Representatives
Chairman	1	Mr Martin Routledge
Vice-Chairman (PSSC) & Central Bedfordshire Council	1	Cllr Dr Rita Egan
Hertfordshire County Council	1	Cllr David Barnard
Vice-Chairman (LLACC) & North Hertfordshire District Council	1	Cllr Michael Muir
Member of the Consumers' Association – Which?	1	Mr Iain Wilson
UK Border Force	1	Mr Bird
Luton Borough Council Passenger Services	1	Mr Ken Toye

Non Voting Members	Number of Representatives	Name of Current Representatives
LLAOL Operations Director	1	Mr Neil Thompson
LLAOL Airfield Environment Manager	1	Ms Tessa Beadman
LLAOL General Manager Customer Services	1	Ms Kim Kennedy
LLAOL Accessibility Manager	1	Mr Ian Briggs
Luton Borough Council	1	Ms Wendy Rousell

Schedule 2

Guidelines for Airport Consultative Committees issued by the Department for Transport in April 2014

Purpose of these guidelines

1. The Government expects all aerodromes¹ to communicate openly and effectively with their local communities and users of the airport about the impact of their operations. Airport Consultative Committees (ACCs) are a well-established way in which airports can engage with key stakeholders in the local area and beyond.
2. These guidelines are intended to assist those involved in establishing, running and participating in airport consultative committees. While the Government recognises that each airport consultative committee should work in a way that best suits the local circumstances within which it operates, this document sets out some particular principles and standards that committees can use to ensure they operate in an effective and constructive way.
3. These guidelines are intended to be applicable to all aerodromes with a consultation process, not only those designated under Section 35 of the Civil Aviation Act 1982 (see paragraph 1.2). We recognise the differences in circumstance between individual aerodromes and that arrangements and procedures for one committee may not be appropriate for another. Committees should determine how best to apply these guidelines for their specific circumstances, however, we expect that the basic underlining principles (as described in section 2) will be applicable across all committees.
4. The guidance is also intended to be useful for not only aerodromes that have, or intend to, set up a consultative committee, but also those who sit on the committees and other parties with an interest in the consultative procedures of airports.
5. These Guidelines supersede the previous version published by the Department in December 2003.

¹ In these guidelines 'aerodrome' applies to any aerodrome, irrespective of the size of operation. The term 'airport' is used interchangeably in this document.

1. The Basics

What are Airport Consultative Committees?

- 1.1 ACCs are structured forums that provide an opportunity for the exchange of information between aerodromes and interested parties. They make recommendations to the aerodrome management and other bodies when appropriate as well as being a place where there is an opportunity to reach common understanding between interested groups about the nature of the aerodrome operation in the hope that issues can be resolved amicably.
- 1.2 There are 51² aerodromes throughout England, Wales and Scotland that are designated under section 35 of the Civil Aviation Act 1982 to provide "facilities for consultation". The Aerodromes Designation (Facilities for Consultation) Order 1996 as amended (SI 2002/2421) provides the list of airports that are designated. Separate arrangements exist for the designation of airports in Northern Ireland, namely Article 20(1) of the Airports (Northern Ireland) Order 1994.

² The Government is aware that the list of airports in *The Aerodromes Designation (Facilities for Consultation) Order 1996 (SI 1996/1392)* as amended (SI 2002/2421) currently includes airports that are no longer in operation.

Legislative and Policy Context

Section 35 of the Civil Aviation Act 1982 (as amended)

- 1 This section applies to any aerodrome which is designated for the purposes of this section by an Order made by the Secretary of State.
- 2 The person having the management of any aerodrome to which this section applies shall provide:-
 - a. for users of the aerodrome,
 - b. for any local authority (or, if the person having the management of the aerodrome is a local authority, for any other local authority in whose area the aerodrome or any part thereof is situated or whose area is in the neighbourhood of the aerodrome), and
 - c. for any other organisation representing the interests of persons concerned with the locality in which the aerodrome is situated,
 - d. adequate facilities for consultation with respect to any matter concerning the management or administration of the aerodrome which affects their interests.
- 3 The reference in subsection (2)(b) above to any local authority includes in relation to the area of Greater London a reference to the Mayor of London acting on behalf of the Greater London Authority.

1.3 The Government considers that the best means of ensuring fair treatment of the different categories of statutory consultees is through a consultative committee formed for this purpose. This provides an opportunity for the aerodrome to consult relevant groups simultaneously as well as allowing those groups to engage with each other directly.

1.4 However, the Government would not expect the absence of statutory designation to be a barrier to effective consultation, as it should be a matter of good practice at airports.

1.5 The Aviation Policy Framework states that:

*"The Government expects all airports and aerodromes to communicate openly and effectively with their local communities about the impact of their operations."*³

Users of the aerodrome

1.6 These will vary depending on the specific aerodrome in question. For many airports, passengers are obviously among the most central user groups, along with the airlines that carry them and the other associated services. Consultative committees are well placed to ensure passenger interests are represented and communicated to the airport. At the largest airports, having a passenger-focused sub-group might be appropriate to consider these issues in detail.

- 1.7** As far as possible, a full range of users of the airport should be represented on committees, or at least their views taken into account. This may include, but is not limited to, passengers, airlines (or their representative associations), retailers, training schools, freight companies, ground services, as well as those involved in any general aviation operating from the airport.

Local Authorities

- 1.8** Local Authority members have an important representational role on behalf of their constituents, particularly when they represent communities close to or affected by the airport's operations. They should represent the full range of issues relevant to their authority, including planning, economic and environmental interests. Membership on a consultative committee may also enable local authorities to better consider how the airport features in local authority plans and policies through the knowledge gained by being represented on the committee.

Others with an interest

- 1.9** The third category of Section 35 refers to any other organisation representing the interests of persons concerned with the locality in which the aerodrome is situated. While both the size of the locality and the type of organisation will vary according to local circumstances, this category would include community organisations such as local environmental groups and residents associations, local business and enterprise groups as well as tourism and consumer bodies.

The Role of Committees

- 1.10** Committees are made up of representatives from the three "categories" mentioned above - users of the airport, local authorities in the vicinity of the airport and other organisations from the community surrounding the airport that have an interest in the operations and management of the airport.
- 1.11** They should promote greater understanding both to the surrounding community about airport operations and to the airport operator about the impact of those airport operations and any proposed operations. Topics discussed at meetings can vary widely, but often include environmental issues, airport development, updates on airport operations, an overview of any passenger service issues and surface access.
- 1.12** The nature of consultative committees and, indeed, of "adequate facilities for consultation" will depend upon the type and scale of the aerodrome and is likely to be site specific.
- 1.13** Committees should recognise the wider role of the airport as an important local employer and influential driver in the local economy, as well as considering the local environmental impacts of an airport, including noise.⁴ They can also play a vital role in protecting and enhancing the passenger experience at airports.
- 1.14** While committees are not dispute resolution forums and they do not

have any executive or decision-making power over the aerodrome, they can facilitate constructive discussion and help resolve differences while maintaining an overview of trends. They also do not prevent interested parties from raising concerns directly with the airport.

1.15 Although the committees do not have any executive power, they should be holding airports to account by monitoring the implementation of commitments made by the airport and challenging their performance when necessary. For example, the Government expects committees to monitor the implementation of airports' commitments made under statutory Noise Action Plans, where relevant. They also have a role in protecting and enhancing facilities for passengers.

1.16 While many committees operate to fulfil a legislative requirement, there are examples of committees being set up at airports that are not designated under section 35 which demonstrates the value committees can have in helping various interests reach a common understanding of the impact of airport operations.

The purpose and benefits of consultation

1.17 Consultation has many benefits for the local community, the users of airports, local authorities and aerodrome operators. For example, it can:

- enable aerodrome operators, communities in the vicinity of the aerodrome, local authorities, local business representatives, aerodrome users and other interested parties to exchange information and ideas;
- enable aerodrome operators to identify, take account of and monitor trends, perceptions and potential challenges that may arise over time with specific groups of interests;
- allow the local community and users of the airport to influence the aerodrome operator's decision-making process in areas of mutual interest and increases the effectiveness of decisions by drawing on local knowledge and expertise;
- minimise unnecessary and costly conflict;
- allow the concerns of interested parties to be raised and taken into account by the aerodrome operators, with a genuine desire on all sides to resolve any issues that may emerge;
- allow the local community, users of the airport and other interested parties to better understand the aerodrome's operations;
- complement the legal framework within which the aerodrome operates;

1.18 However, consultation is not intended to:

- detract from or constrain the responsibility of the aerodrome owner

and/or operator to manage the aerodrome;

- prevent interested parties from raising concerns directly with the aerodrome, or through other channels.

2. Principles for Airport Consultative Committees

- 2.1** We recognise that committees vary widely in size and scope as do the specific operating procedures and arrangements and what works for one aerodrome will not necessarily work at another. However committees do, at their heart, have a similar role and purpose and thus can operate to a common set of principles.

Independent

- 2.2** While the onus is on airports to provide facilities for and (usually) fund airport consultative committees, it is important that they are and they are perceived as being independent from the airport in order to maintain the confidence of all interested parties. Committees should be free to say what they think on issues. Committees should, as far as possible, be transparent about how and why they are funded, and chairs should be appointed through an open and transparent process.

Representative

- 2.3** Section 35 of the Civil Aviation Act 1982 specifies the categories of bodies or organisations that should be consulted and it is important that a committee comprises an appropriate range of views that is representative of those affected by, or involved in, the operations of the airport.
- 2.4** Committees could also consider the need for independent representatives, who are not affiliated with any organisation, when it comes to representing passenger interests.

The size of a committee

- 2.5** While the exact size of the committee will depend upon local circumstances, the committee should be a manageable size. Where there are a number of organisations that have a similar interest in the operations of the airport, thought should be given to ways in which those interests can be appropriately represented without making the committee unwieldy.
- 2.6** Although personal experience can be useful, members should represent the views of their wider organisation (unless they have been appointed as independent members of the committee), consulting with other members of the organisation before meetings and feeding back afterwards.

Making sure the mix is appropriate

- 2.7** There must be sufficient representation from each of the three discrete groups identified at section 35 of the Civil Aviation Act 1982 to ensure that the views of that group are adequately expressed. There should be fair and equitable treatment of the different categories with no one interest dominating the committee, however it is more important to

ensure that there is a representative balance of interests rather than to attempt equal numeric representation. Subject to ensuring adequate representation for each group, each committee has discretion to decide on the scope and level of representation based on local circumstances and practice.

- 2.8** The groups represented will vary between aerodromes: the users at an airport with a mixture of commercial air transport and general aviation (GA) flights may encompass a wider spectrum of interested parties than either a major airport or a small GA aerodrome. The scale of interest from the local community and local authorities is also likely to be more significant at larger aerodromes as the positive and negative impacts are likely to cover a wider geographic area.

Ensuring organisations are representative

- 2.9** It can sometimes be difficult to judge whether a community organisation is truly representative of the community they claim to represent. Organisations should be clear about who they represent, as well as their aims and objectives. Ideally organisations represented on the committee should have a written constitution and documented membership to help secure the legitimacy of representatives.

Knowledgeable

- 2.10** While it is not expected that members themselves are experts on every subject the committee discusses, members should seek to gain a general understanding of the issues involved and should have a more in depth knowledge of the area they represent. All members should take an interest in the issues being discussed at meetings and be prepared to seek advice from others (such as officers from across the different organisational interests in the case of local authority representatives).

Specialist expertise

- 2.11** It is often useful, especially at the larger airports' committees, if members are permitted to be accompanied by technical advisers (for example, elected council members may be supported by officers). Such advisers should not, however, intervene in committee proceedings unless invited to do so by the Chairman.
- 2.12** Depending on the size of the aerodrome and the subject matter for consideration, the committee could consider appointing an appropriate consultant having aviation and/or other relevant expertise to act as a specialist adviser to the committee as a whole.

Transparent

- 2.13** Committees should be as open and transparent as possible about the issues they discuss and the conclusions they come to.
- 2.14** The wider local community and airport users should be made aware of the existence of the consultative committee and its role in relation to

aerodrome operations as well as how to contact at least the Secretary of the committee.

- 2.15** The existence and role of the committee, as well as members of the committee and the organisations they represent, should be easily accessible to the community online through a section on the airport's own website or on a dedicated website. If the committee has its own website, the airport should provide appropriate signposting from its website. The website should also include a schedule of the committee's meetings as well as minutes of the meetings themselves.
- 2.16** Committees may also wish to explore different ways of communicating with interested parties (such as through social media or e-newsletters) that could provide opportunities to engage more effectively with the people they represent.
- 2.17** Committees are encouraged to open their meetings to the public, unless there is a legitimate reason why it is inappropriate to do so. The manner in which the public are admitted to attend meetings should be decided by the committee according to local circumstances.

Balancing confidentiality and transparency

- 2.18** There may be times where the committee wishes to discuss matters that are confidential in nature. This can be handled in a variety of ways, from closing part of the meeting to the public to discussing confidential matters in a separate meeting (such as a steering group or a sub-group).

Examples of the ways in which committees open to the public

- Some committees allow the public to attend every meeting, although they are not permitted to ask questions.
- Other committees allow the public to attend meetings and ask questions in advance, to be answered during the meeting.
- One committee has one meeting open to the public per year.

Constructive and Effective

- 2.19** The wide variety of issues that consultative committees can get involved in, and the passion that some of those issues can invoke in people have the potential to lead to unproductive meetings. As far as possible, the committee should take a constructive role in issues, taking the opportunity to influence matters where appropriate. As the committee does not have executive powers, its role is more along the lines of a "critical friend", to offer advice and encourage the airport to act on its

advice by pointing out things that are working well, as well as being objectively (as far as possible) critical of areas where the airport could make improvements.

- 2.20** Airport managers should take the opportunity to engage with the committee at an early enough stage of future plans in order for the committee to take a constructive role in advising the airport and where the airport can take advantage of the specific knowledge and expertise committee members have. The airport management should be willing to be influenced by the discussions and opinions of the committee in order to make the process of consultation meaningful. The airport is expected to take the committee's views into account when making decisions on matters about which the committee has been consulted.
- 2.21** The airport should be clear about areas where decisions have already taken place or where the committee's views cannot influence the situation.
- 2.22** When the views of the committee are expressed in response to being consulted, the presence of any significant minority opinion should be made clear, as well as those areas where there is agreement.
- 2.23** Committees could consider setting up an annual work plan that identifies priorities to help ensure work and discussions remain focused or publishing a short annual report detailing what has been achieved by the committee in the past year.
- 2.24** To ensure committees remain effective they should periodically review both their terms of reference and their membership. As part of this review, committees could also consider seeking feedback on their work from those they represent.

3. Effective Committees

Set Up

Funding

- 3.1** The funding of committees is one issue that has the potential to be seen as compromising the independence of committees, as for many committees the administrative costs are covered by the airport. While there is little evidence that this is the case in practice, and as it is the airports that are legally responsible for providing facilities for consultation, committees should be transparent about how and why they are funded and seek to demonstrate how independence is achieved despite the financial ties.

Chairs

- 3.2** One of the most important ways in which committees can ensure their independence is by appointing a chair through an open and transparent process, with the involvement of the committee itself. The chair should not be closely identified with any sectional interest. Thought should also be given to a term limit for chairs (for example, two terms of a maximum of five years), or at least reviewing the chairmanship periodically.
- 3.3** It is important that consultative committees have an effective chair who is able to gain the respect of the other committee members and should have the ability to draw together a wide range of views into a coherent conclusion.

Secretariat

- 3.4** The Secretary should not be closely identified with any sectional interest.
- 3.5** A properly resourced secretariat should be appointed to ensure the effective working of the committee. A local authority (ideally, not a planning authority for the airport) may be suitably placed to carry out this function although other arrangements (such as an independent secretary) could also be appropriate. The necessary secretarial support will depend upon the size of the committee and the volume and nature of the business handled. The duties of the secretariat should include:
- prepare minutes of the committee and distribute them to all members;
 - issue notices of meetings of the committee and to place on the agenda any matters that are proper for the committee to consider;
 - circulate relevant documents;
 - publicise the output of the committee and maintain the committees website (where airport is not responsible for this)
 - assist the committee on policy and technical issues, where appropriate.

Airport management

- 3.6** It is essential that the airport management participate fully in the committee proceedings by offering items for the agenda, attending meetings and by providing relevant information on the operation of the airport, answering questions and responding to points raised by the committee. Those attending on behalf of the airport should be at an appropriately senior level (for example CEO or Managing Director).

Frequency of meetings

- 3.7** The consultative committee should meet at least three times a year, unless the committee is satisfied that fewer meetings would suffice. This ensures committees can respond to issues in a timely manner and in a way that adds the most value. Members should be given as much notice as possible as to the time and place of meetings.

Venue

- 3.8** Unless otherwise agreed by the committee, the management of the aerodrome should arrange adequate facilities for meetings (as they have the legal duty to provide the facilities), having regard to travel convenience of members from the whole catchment. Venues should be accessible by public transport where reasonably possible.

Terms of reference

- 3.9** The terms of reference of the committee should be sufficiently widely drawn to allow it to consider all matters arising from the management and administration of the aerodrome. The exact terms of reference will be at the discretion of the committee but would be expected to cover existing and proposed facilities and services at the airport (especially those concerning passengers), input into environmental monitoring of the aerodrome, surface access, responses to formal consultation papers issued by government and other regulatory authorities, and consideration of the economic, social and environmental impact of airport operations.

Example items to include in the terms of reference:

- To foster communication and build understanding between the airport and its users, local residents and the business community.
- To stimulate the interest of the local population in the development of the aerodrome.
- To consider and comment upon the impacts of the airport's administration, operation and development in relation to:
 - The environment
 - Surface access issues associated with the airport
 - Employment
 - The local, regional and national economy
 - The circumstances of local communities and their residents.
- To protect and enhance the interests of users of the aerodrome, particularly those of passengers.
- To consider and, if appropriate, comment upon any factual and consultative reports, from Governmental and other sources, that are material to the future character, operation and development of the airport.

Sub Groups

3.10 Some committees (particularly at the larger airports) may find it useful to form sub-groups to deal with specific issues or areas. This allows more detailed discussions to take place regarding specific issues (such as those encountered by passengers) between interested members of the committee. It also may allow those not directly represented on the committee to be involved in an issue that affects them, for example some passenger sub-groups include independent passenger representatives who do not sit on the main committee. Sub-committees should report back to the main committee on issues discussed and any actions being taken. The need for sub-groups will depend on the scale of activities and the local circumstances of the particular airport.

Examples of sub-groups

- Passenger or user experience group: can monitor passenger facilities and procedures, identify any gaps in services or issues arising from passenger experiences and make recommendations for improvement. They can also provide a passenger perspective on airport developments, particularly at the design stage.
- Noise and track keeping group: to oversee the airport's production of statistics, information and complaint handling relating to aircraft noise and assist the airport to improve the impact of aircraft noise on the community around the airport.
- Committee Steering Group: can be formed from a representative selection of members from the main committee to give preliminary consideration to new or major issues and make recommendations for the agenda of the main committee as well as deal with urgent matters on behalf of the main committee.
- Ad-hoc groups: committees could consider convening a temporary sub-group to deal with specific issues that arise, such as changing the committee's terms of reference or dealing with a new airport development.

Preparation

Agenda and Papers

- 3.11** If possible all members should make available to the committee (through the Secretary) at as early a date as possible details of any matter of concern to that member which he or she wishes to raise at a meeting of the committee. Provided that a matter is within the terms of reference, it is recommended that all committee members be able to propose agenda items for discussion. However, there may be times where a case can be made not to accept an item, for instance if it involves an issue that has been discussed fully at a previous meeting where there is no new information and further discussion would not be constructive.
- 3.12** Papers should be circulated well in advance to allow representatives to prepare fully and obtain technical advice if necessary. The secretariat will need to ensure that the circulation of papers does not breach copyright, privacy or data protection.

Items for Discussion

- 3.13** The issues that committees discuss will vary from meeting to meeting and from aerodrome to aerodrome, some will be standing items on agendas while others will be in response to ad hoc issues that arise. There should be an appropriate balance of issues discussed at meetings.
- Updates from airport management on operations at the airport,

including passenger numbers and new services, runway utilisation, complaints, noise and track keeping

- Updates from local authorities on local plans and policies that may impact upon the airport
- Community noise and local air quality monitoring
- Passenger service issues
- Noise insulation schemes
- Surface access
- Airport development
- Airspace changes⁵
- Noise Action Plans⁶
- Responding to consultations
- Community initiatives
- Updates from any sub-groups

⁵ Airport Consultative Committees are listed as one of those who should be consulted with on airspace changes where there is potential for significant detrimental impact in the 'Guidance to the Civil Aviation Authority on environmental objectives relating to the exercise of its air navigation functions'

⁶ Where relevant.

Proceedings

Participation

3.14 Members should be given guidance on how the committee works as well as the standards of behaviour expected of consultative committee members. To ensure the effective operation of the committee it may be considered useful to have a commitment from all members, including airport management, the Chair and the Secretary, to participate actively in the work and discussions of the committee. To help with this, we have included a suggested Code of Conduct that can be used and adapted by committees to ensure members understand what is expected of them.

Code of Conduct

Respect: Committee members should treat each other with respect and courtesy at all times.

Commitment: Committee members should dedicate sufficient time to prepare for and attend meetings, including seeking advice and views from others in their organisation where appropriate.

Conflicts of Interest: Members should identify and declare any conflicts of interest (actual, potential or perceived), particularly where members do not represent an organisation.

Participation: Members should participate fully in meetings. They should listen to what others have to say and keep an open mind while contributing constructively to discussions. Actions assigned to members should be fulfilled in a timely manner and progress reported back at the next meeting.

Openness and Accountability: Members should be open and accountable to each other and the organisations and communities they represent about their work on the committee.

Confidentiality: Members should respect the status of any confidential issues they discuss.

Discussion

3.15 During meetings it is important that members should be given adequate opportunity to represent the views of those whom they represent and that no organisation or one group should dominate proceedings. Chairs should ensure discussion is on topic while members should make their point in a concise and constructive manner.

Voting

3.16 It is expected that matters would be resolved by consensus. In general, the Chairman should avoid taking votes on matters other than those relating to the membership of the committee and its sub-groups.

Minutes and Actions

- 3.17** The minutes of the meeting should be concise, but representative of the issues and views discussed. Committee publications should reflect the range of views and advice and/or recommendations to the airport operator put forward by members and should not merely reflect the majority viewpoint on any issue. Actions should also be recorded and followed up on at subsequent meetings.

Complaints

- 3.18** While the airport should have an agreed formal procedure for recording complaints about aircraft noise as well as passenger service issues, committees are well placed to monitor trends or patterns of complaints (both noise related and from customers), to consider specific issues (for example how the airport responds to persistent complainants), and to monitor the airport's ongoing performance in dealing with complaints. The number, and for noise complaints general location, should be made available to the committee.
- 3.19** Passenger complaints could be reviewed by a passenger services sub-committee if the committee has established one.
- 3.20** Airports might suggest that complainants, if dissatisfied with the airport response on a matter of wider interest, could contact the committee to raise the matter for discussion. However, it should be remembered that the consultative committee is not an arbiter of last resort, and its recommendations are not binding on the aerodrome. So, it should not be the committee's function to investigate individual complaints as a matter of routine.

Disputes

- 3.21** Disputes involving members of the committee or the working of the committee should be handled within the committee in the first instance. While the Department wishes to see committees work effectively, it is expected that in the majority of instances a solution should be found at the local level. It is the airport that has the ultimate statutory responsibility for ensuring the three discrete groups identified at section 35 of the Civil Aviation Act 1982 are consulted equally and therefore has an interest in ensuring committees are working effectively.

4. Sharing Best Practice and Knowledge

Sharing best practice

- 4.1 The sharing of best practice and information between consultative committees is strongly encouraged. For committees at larger airports, the [Liaison Group of UK Airport Consultative Committees](#) (UKACCs) is an ideal way to do this.
- 4.2 For committees at smaller aerodromes, sharing best practice on an informal and ad hoc basis may be appropriate. To facilitate this, committees should ensure their contact details are available on their websites.
- 4.3 All committees are encouraged to welcome members of other committees who wish to see examples of other committees in action by observing meetings. Committees should also consider working together on issues of common interest by sharing information or ways of handling specific issues.

Sharing knowledge

- 4.4 Committees should also work with other organisations on issues where they have specific expertise to offer. This could include working with Local Authorities to inform Local Plans; the CAA on consumer issues through its Consumer Panel; or with the Department for Transport on specific policy issues.
- 4.5 When responding to consultations as a committee, the response should show where there is agreement between the different interests represented on the committee as well as the range of views held on an issue.
- 4.6 It is recognised that the Department, CAA and NATS should also proactively engage with consultative committees on issues of common interest.

Schedule 3

Details of Officers of the Committee

Chairman:

Mr Martin Routledge

Date of Appointment: 1 August 2009

Re-appointed 1 August 2012

c/o London Luton Airport Operations Limited

Navigation House

Airport Way

Luton

Bedfordshire

LU2 9LY

Vice Chairman:

Cllr Michael Muir

Date of First Appointment: 12 October 2009

Re-appointed: 11 October 2010

Re-appointed: 17 October 2011

Re-appointed: 15 October 2012

Re-appointed: 14 October 2013

Re-appointed: 13 October 2014

Committee Administrator:

Tricia Harris

c/o London Luton Airport Operations Limited

Navigation House

Airport Way

Luton

Bedfordshire

LU2 9LY

Tel: XXXXXXXXXX

Schedule 4

Definitions

In this Constitution and these Standing Orders the defined terms used shall have the following meaning:

Airport Operator	London Luton Airport Operations Limited
Annual Meeting	a meeting of the Committee called in accordance with Article 6.2
Extraordinary Meeting	a meeting of the Committee called in accordance with Article 6.4
Meeting	a meeting of the Committee called in accordance with Article 6.1, 6.2 and/or 6.4
Member	a member of the Committee, as listed in Schedule 1
Ordinary Meeting	a meeting of the Committee called in accordance with Article 6.1
Representative	a representative of any Member