



Hertfordshire Host Authorities

HERTFORDSHIRE HOST AUTHORITIES' COMMENTS ON ANY FURTHER INFORMATION / SUBMISSIONS RECEIVED BY DEADLINE 4

London Luton Airport Expansion



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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This document sets out a table of responses by the Hertfordshire Host Authorities to certain further information and submissions made by the Applicant at Deadline 4. It has been prepared jointly by Dacorum Borough Council (“DBC”), North Herts Council (“NHC”), and Hertfordshire County Council (“HCC”) in collaboration with technical consultants, to set out further comments considered necessary in detailing the impacts upon the local area of the Applicant’s proposed London Luton Airport Expansion Project (“the Proposed Development”).



2 REP4-103: APPLICANT’S RESPONSE TO DEADLINE 3 SUBMISSIONS - APPENDIX H HERTFORDSHIRE COUNTY COUNCIL, DACORUM BOROUGH COUNCIL AND NORTH HERTFORDSHIRE COUNCIL [REP3-090]

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Section 14	Noise and Vibration.	Airport noise assessment	<p>It is not typical for an airport noise assessment to be based on the <i>‘reasonable worst case’</i>, as the Applicant proposes, but rather from realistic forecasts such as those used in the Core case, which itself should form <i>the ‘reasonable worst case’</i> in accordance with the principles of Environmental Impact Assessment (EIA).</p> <p>While the overall noise effects as defined in the EIA may be comparable, the number of people exposed to specific noise levels will differ and this is highly material with regard to complying with UK aviation noise policy such as Aviation Policy Framework 2013 (<i>“limit and where possible reduce the number of people in the UK significantly affected by aircraft noise”</i>).</p>
Section 19	Noise and Vibration.	Noise Management and control mechanisms.	The Hertfordshire Host Authorities note the Applicant is intending to update the noise controls proposed by Deadline 5 and await this information, also noting that the Hertfordshire Host Authorities are happy to participate in any further discussions required with the Applicant on this matter.
Section 20	Noise and Vibration.	Noise Management and control mechanisms.	This section discusses dispensation and is now immaterial as the Applicant has removed early and late flying movements from their dispensation proposals. See Written Questions GCG.1.3 of Applicant’s response to Written Questions - Green Controlled Growth (GCG) [REP3-058].
Section 21	Noise and Vibration.	Airport Noise Assessment	<p>It is not typical for an airport noise assessment to be based on the <i>‘reasonable worst case’</i>, as the Applicant proposes, but rather from realistic forecasts such as those used in the Core case, which itself should form <i>the ‘reasonable worst case’</i> in accordance with the principles of Environmental Impact Assessment (EIA).</p> <p>While the overall noise effects as defined in the Environmental Impact Assessment (EIA) may be comparable, the number of people exposed to specific noise levels will differ and this is highly material with regard to complying with UK aviation noise policy such as Aviation Policy Framework 2013 (<i>“limit and where possible reduce the number of people in the UK significantly affected by aircraft noise”</i>).</p>
Section 22	Noise and Vibration.	Noise Management and control mechanisms	The Hertfordshire Host Authorities note the Applicant is intending to update the noise controls proposed by Deadline 5 and await this information, also noting that the Hertfordshire Host Authorities are happy to participate in any further discussions required with the Applicant on this matter.
Section 3	Cultural Heritage.	Built heritage: Impacts to registered parks and gardens	<p>The Applicant’s response noted that an assessment of each individual heritage asset will be articulated in the updated Appendix 10.2 Cultural Heritage Gazetteer [APP-073], submitted at Deadline 4.</p> <p>The Applicant’s response on cumulative effects is noted. However, a response is still required in relation to the issue of tranquillity and registered parks and gardens.</p> <p>The Applicant noted in the response to ISH 6 at Paragraph 8.1.11 that St Paul’s Walden Bury would experience <i>“a negligible change to the park’s noise environment, which would result in imperceptible change to the park’s setting and would result in no harm to its heritage significance.”</i> The assessment then further states at paragraph 8.1.14 that change <i>‘could be noticeable’</i> and at paragraph 8.1.15 states <i>“Aviation noise from overhead aircraft is already a component of St Paul’s Walden Bury RPG’s setting.”</i></p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>The Applicant has addressed Cumulative effects in the response and states: “Where current aircraft movements already detract from the heritage significance of an asset this has been noted, the assessment then addresses the effect of additional change resulting from the Proposed Development. The cumulative effect is thereby assessed.”</p> <p>However, further information or explanation is required to clarify this overall assessment, and why a change that ‘could be noticeable’ to the asset’s setting is a negligible change.</p> <p>It is noted that within Environmental Statement Chapter 10 Cultural Heritage Revision 1 [AS-077] the value of St Paul’s Walden Bury is assessed as high value in paragraph 10.9.86. The change is described as ‘negligible’ in paragraph 10.9.88 and 10.9.89. However, using the impact assessment methodology within the Chapter, the magnitude of effect would be ‘very low’, defined as “Barely perceptible changes to the asset that hardly affects significance.” Using the significance of effect criteria in Table 10.9, a very low magnitude on a high value asset equates to a minor adverse (not significant) significance of effect. There is no explanation as to why the Applicant considers the effect to be no impact and no effect, when it is clearly stated that there is a change, albeit not a significant one. The Applicant needs to provide justification as to why the significance of effect is not slight adverse.</p>
Section 26	Cultural Heritage.	Cultural Heritage Gazetteer.	The Applicant’s response noted that an assessment of each individual heritage asset will be articulated in the updated Appendix 10.2 Cultural Heritage Gazetteer [APP-073] , submitted at Deadline 4.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3-089] ID4	Surface Access	<p>North Herts Council has identified anomalies and inconsistencies in the forecast traffic flows at the junctions in Hitchin featured in the TA, which are obscured by the omission of baseline traffic counts in the evidence supplied in the TA. North Herts Council seeks further detail and explanation of assumptions that underlie the traffic flow forecasting and impacts of the proposed interventions.</p> <p>If the Council has questions remaining regarding anomalies, these should be specified, and the Applicant will cover them in the ongoing SoCG discussions.</p>	<p>North Herts Council is engaging with the Applicant in ongoing SoCG discussions regarding specific locations which anomalies and inconsistencies have been identified. A summary of the main points is provided here.</p> <ul style="list-style-type: none"> - The modelling of the Hitchin junctions as presented in the response to [REP4-082]. - The Applicant should provide the collected traffic count data as well as the forecast data to enable an understanding of any change to trip routing through the junctions. - A traffic survey of Park Way / Upper Tilehouse St junction from 2019 shows quite different flows to those currently included in the modelling of this junction. - A traffic survey to confirm the traffic flow and turn count data at Wratten Road is required. - North Herts are concerned that the Applicant has focused solely on accommodating an increase in motor traffic, rather than enabling and supporting a higher modal share for sustainable travel east of Luton. - There is an absence of data on the traffic impacts on villages east of Luton including Tea Green, King’s Walden, Preston, Breachwood Green, Whitwell, Peter’s Green, Kimpton and Codicote.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3-089] ID5	Surface Access	<p>In response to several matters raised in WR in relation to rail and bus/coach services the Applicant has responded in summary with the following information:</p> <p>Rail demand and capacity from St Albans and Harpenden is not expected to be significant with a low level of change associated with the Airport growth during the AM/PM peak. CAA data indicates St Albans (local authority area) is less than</p>	<p>It is unclear the factors that are applied to the Civil Aviation Authority (CAA) data to represent all airport users, given the low level of sample rate generated from this survey. With the low level of forecast rail travel from the east alongside the lack of confirmed provision for new bus / coach provision it is difficult to understand how the proposed mode share targets for rail and bus /coach are being achieved to support the airport growth. This raises concerns with the Hertfordshire Host Authorities that the assumption for travel from the east is still mainly reliant on private car travel.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		<p>3% of total rail demand / 40 passengers over 3 hours across Harpenden and St Albans stations. Rail assessment used 2019 demand & service levels. Expected that investment would happen again when rail demand returns to pre-Covid levels. And if rail demand is lower than expected there would be significant spare capacity for airport passengers with today's service levels.</p> <p>The Applicant and operator are engaging in discussions with local operators to develop understanding of their current and planned routes, and what interventions and measures would enhance their service offering. Engagement is ongoing and is supported by the Applicant's study into current gaps in bus provision and areas that would most benefit from improved/new services.</p>	
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID6	Surface Access	Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA)	See detailed comments provided in section 16 [REP4-085] on the submitted document at Deadline 4.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID7	Surface Access	Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA) and Residual Impact Fund (RIF)	See detailed comments provided in section 16 [REP4-085] on the submitted document at Deadline 4.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID8	Surface Access	Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA)	See detailed comments provided in section 16 [REP4-085] on the submitted document at Deadline 4.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID9	Surface Access	The Airport Transport Forum (ATF) is an existing body, the costs of attendance at which are not currently recoverable. There is no proposal or intention to change this. Participation in the ATF is a beneficial activity for the Council with the potential to lead to further investment in surface access matters in its area.	See detailed comments provided in section 14 [REP4-083] on the submitted document at Deadline 4.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID10	Surface Access	Monitoring of the airport car parks alone will miss growth in traffic to/from off-site car parks, which may have a significant negative impact on the highway network in Luton and adjoining authorities.	See detailed comments provided in section 13 [REP4-082] on the submitted document at Deadline 4.
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representati ons [REP3- 089] ID11	Surface Access	The frequency and duration of traffic monitoring will need to be robust enough to pick out trends from the background noise (normal variability) in traffic levels.	See detailed comments provided in section 16 [REP4-085] on the submitted document at Deadline 4.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table H.1 Deadline 3 Submission – Response to the Applicants Written Representations [REP3-089] ID12	Surface Access	Locations for the proposed monitoring ANPR cameras.	See detailed comments provided in section 16 [REP4-085] on the submitted document at Deadline 4.
Section 5	Surface Access	<p>In response to several matters raised in WR in relation to rail and bus/coach services the Applicant has responded in summary with the following information:</p> <p><u>Rail demand and capacity</u> from St Albans and Harpenden additional rail demand associated with the airport expansion is not expected to be significant, with a low level of change associated with the Airport growth during the AM/PM peaks.</p> <p>The CAA data indicates St Albans (local authority area) is less than 3% of total rail demand which represents 40 passengers over 3 hours across Harpenden and St Albans stations. The Applicant confirms that the Rail assessment used 2019 demand & service levels. The Applicant expects that investment in rail will return when rail demand reaches pre-Covid levels. If rail demand is lower than expected the Applicant has assessed there would be significant spare capacity for airport passengers with today's service levels.</p> <p><u>Bus/Coach Services</u></p> <p>The Applicant and operator are engaging in discussions with local bus/coach operators to develop an understanding of their current and planned routes, and the interventions and measures that would enhance their service offering.</p>	<p>It is unclear the factors that are applied to the Civil Aviation Authority (CAA) data to represent all airport users, given the low level of sample rate generated from this survey. With the low level of forecast rail travel from the east alongside the lack of confirmed provision for new bus / coach services it is difficult to understand how the proposed mode share targets for rail and bus /coach will be achieved to support the airport growth. This raises concerns with the Hertfordshire Host Authorities that the assumption for travel from the east is still mainly reliant on private car travel.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
		Engagement is ongoing and is supported by the Applicant's study into current gaps in bus provision to identify the areas that would most benefit from improved/new services.	
Section 5	Surface Access	<p>In response to several matters raised in WR in relation to rail and bus/coach services the Applicant has responded in summary with the following information:</p> <p><u>Rail demand and capacity</u></p> <p>From St Albans and Harpenden additional demand associated with the airport growth is not expected to be significant with a low level of change associated with the Airport growth during the AM/PM peak. The CAA data indicates St Albans (local authority area) is less than 3% of total rail demand which represents 40 passengers over 3 hours across Harpenden and St Albans stations. The Applicant confirms that the rail assessment used 2019 demand & service levels. The Applicant expects that investment in rail will return when rail demand returns to pre-Covid levels. If rail demand is lower than expected there would be significant spare capacity for airport passengers with today's service levels.</p> <p><u>Bus/Coach</u></p> <p>The Applicant and operator are engaging in discussions with local bus/coach operators to develop an understanding of their current and planned routes, and the interventions and measures that would enhance their service offering.</p> <p>Engagement is ongoing and is supported by the Applicant's study into current gaps in bus provision and areas that would most benefit from improved/new services.</p>	It is unclear the factors that are applied to the Civil Aviation Authority (CAA) data to represent all airport users, given the low level of sample rate generated from this survey. With the low level of forecast rail travel from the east alongside the lack of confirmed provision for new bus / coach services, it is difficult to understand how the proposed mode share targets for rail and bus /coach will be achieved to support the airport growth. This raises concerns with the Hertfordshire Host Authorities that the assumption for travel to the airport from the east is still mainly reliant on private car travel.



3 REP4-070 APPLICANT'S RESPONSE TO DEADLINE 4 HEARING ACTIONS

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 2:</u></p> <p>a. Applicant's Response to Issue Specific Hearing 4 Action 2: Covid 19 Additional Modelling Technical Note 1 [TR020001/APP/8.98]; and</p> <p>b. Applicant's Response to Issue Specific Hearing 4 Action 2: Covid 19 Additional Modelling Technical Note 2 [TR020001/APP/8.109].</p>	Refer to Hertfordshire Host Authorities comments on [REP4-086] and [REP4-106] within this document.
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 5:</u></p> <p>Trip Distribution Plans [TR020001/APP/8.30].</p>	Refer to Hertfordshire Host Authorities comments on [REP4-048] within this document.
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 8:</u></p> <p>Applicant's Response to Issue Specific Hearing 4 Action 8: Off-site highway works [TR020001/APP/8.94]</p>	Refer to Hertfordshire Host Authorities comments on [REP4-085] within this document.
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 16:</u></p> <p>Submission of Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA). [TR020001/APP/8.97]</p>	Refer to Hertfordshire Host Authorities comments on [REP4-083] within this document.
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 17:</u></p> <p>Applicant's Response to Issue Specific Hearing 4 Action 17: Terms of reference for the Airport Transport Forum (ATF) [TR020001/APP/8.95]</p>	Refer to Hertfordshire Host Authorities comments on [REP4-083] within this document.
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<p><u>Action 29:</u></p> <p>Applicant's Response to Issue Specific Hearing 4 Action 29: Catchment area for staff walking and cycling [TR020001/APP/8.96]</p>	Refer to Hertfordshire Host Authorities comments on [REP4-084] within this document.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Issue Specific Hearing 4 (Traffic & Transport / Surface Access)	<u>Action 30:</u> Update the toolbox of intervention and measures addressed in the updated version of the Framework Travel Plan [TR020001/APP/7.13]	Refer to Hertfordshire Host Authorities comments on [REP4-045] within this document.
ISH3 – 1	Noise and Vibration	Night-time construction noise assessment.	See response provided above to Deadline 4 Submission - Applicant's response to Issue Specific Hearing 3 Action 1: Assessment of night-time construction noise [REP4-080].
ISH3 – 10	Noise and Vibration	Piling restrictions.	The Hertfordshire Host Authorities have agreed with the Applicant that noise and vibration from relevant piling activities will be assessed within Section 61 applications.
ISH3 – 26	Noise and Vibration	Noise insulation delivery.	See response provided above to Deadline 4 Submission - Applicant's Response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079].
ISH3 – 28	Noise and Vibration	Slot allocation.	See response provided to Deadline 4 Submission - Applicant's Response to Issue Specific Hearing 1 Actions 20, 21, 24 And 26 And Issue Specific Hearing 3 Action 28: Green Controlled Growth - Transition Period and Slot Allocation Process [REP4-072].



4 REP4-079: APPLICANT'S RESPONSE TO ISSUE SPECIFIC HEARING 3 ACTION 26: NOISE INSULATION DELIVERY PROGRAMME

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Noise and Vibration	Noise Insulation Scheme	<p>This document sets out research undertaken by the Applicant into how to most effectively roll out their proposed Noise Insulation Scheme and is commended by the Hertfordshire Host Authorities.</p> <p>The expected timeframes involved with rolling out the scheme and assuming a 100% take-up are positively received, as they are materially faster than both the existing scheme and other comparable schemes.</p> <p>The proposed Noise Insulation Scheme has also been expanded again to account for ground noise, which the Hertfordshire Host Authorities welcome.</p>



5 REP4-072 APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 1 ACTIONS 20, 21, 24 AND 26 AND ISSUE SPECIFIC HEARING 3 ACTION 28: GREEN CONTROLLED GROWTH - TRANSITION PERIOD AND SLOT ALLOCATION PROCESS

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Paragraph 1.1.5	Noise & Vibration	ESG / GCG: Noise	The Applicant states that they are considering removal of the Transition Period for aircraft noise. The removal of the Transition Period for aircraft noise is supported by the Hertfordshire Host Authorities.
Paragraph 2.2.7	Noise & Vibration	GCG: Noise Mitigation Toolbox	The Applicant sets out the Local Rules currently in place at Luton Airport. These seek to demonstrate that the ‘mitigation toolbox’ supporting Green Controlled Growth with regards to noise are sufficient to enable noise contour limits to be controlled and not breached through suitable management. However, the Hertfordshire Host Authorities note that there are no enhancements proposed to the mitigation options that were on offer to the Airport before and during historic breaches, and as such it is not clear how these measures will apply effectively in the future to avoid breaches under the GCG, when they have not done so in the past.
Paragraph 2.2.8	Noise & Vibration	Noise Controls	The Applicant states that it intends to make further updates to the noise controls at Deadline 5. The Hertfordshire Host Authorities support the submission of updates for additional noise controls, as have been requested throughout the Examination, and will review and scrutinise these once provided by the Applicant.
Paragraph 3.2	Noise & Vibration	GCG Transition Period	<p>The Applicant has not explained and justified why it is not possible for the Airport Operator to be prepared to implement the new monitoring regimes under the GCG from the date of service of the notice under Article 44(1) of the draft DCO [REP4-003], noting that the Applicant has control over when it exercises the notice. The Hertfordshire Host Authorities consider that the Applicant should explain and justify the proposed approach, noting that the Applicant will have time following grant of the DCO application to begin developing and preparing for implementation of the new monitoring regimes under the GCG.</p> <p>It is also not clear the basis on which the Level 2 Thresholds and Limits do not apply during the Transition Period, and the Applicant’s explanation does not justify why this approach is robust and does not inhibit the Environmental Scrutiny Groups’ (ESG) ability to properly oversee and undertake enforcement in relation to exceedances of Level 2 Thresholds and / or Limits during the Transition Period. The Applicant says that this would not be in the Airport Operator’s interests, but it is clear that the controls themselves would be absent during this period, leaving a risk of exceedance without any ability on the part of the ESG to require mitigation.</p>
Paragraph 3.3.10	Noise & Vibration	ESG timeframes for establishment	The Applicant states that it is considering changes to the DCO to establish the ESG as soon as is reasonably practicable. The Hertfordshire Host Authorities support such an approach, subject to scrutinising the detail of the proposals to be submitted by the Applicant at Deadline 5.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Paragraph 4.1	Air Quality	Changes being considered by the Applicant to GCG	<p>The Hertfordshire Host Authorities have previously made representations that the air quality monitoring and responses should be as adaptive as possible. The Hertfordshire Host Authorities therefore consider that there would be benefits to commencing monitoring of air quality impacts as early as possible after service of the notice under Article 44(1), rather than waiting until the start of the first full calendar year thereafter.</p> <p>The Hertfordshire Host Authorities welcome the proposal to bring forward the application of all Thresholds and Limits to the start of the first full calendar year, but would request that the Applicant consider whether, on the basis of adaptive monitoring and management, these could be applicable at an earlier stage.</p>
Paragraph 5.1.4	Noise & Vibration	Sharing benefits with local community	<p>The Hertfordshire Host Authorities consider that it remains unclear how the benefits of growth are to be shared with the local community, particularly if there is no mechanism to incentivise driving effects down (as distinct from sitting just under the Limit but with a plan for ensuring it is not exceeded).</p>
Paragraph 5.3	Noise & Vibration	Capacity reduction through slots	<p>Section 5.3 discusses how slot allocations could potentially be used to reduce capacity, in exceptional circumstances. It appears that through implementation of Local Rules to manage the release of slots, alongside 5-year advanced planning (both of which are proposed), Luton Airport may be able to manage noise so as not to need to reduce capacity. Sensible Local Rules, possibly implemented in step changes as part of or in line with the 5-yearly ESG review period, are an important part of an acceptable noise control strategy. The Hertfordshire Host Authorities request further information on what Local Rules are being proposed by the Applicant.</p>



6 REP4-082: APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 8: OFF-SITE HIGHWAY WORKS

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Traffic & Transport: Surface Access: Off-Site Highway works	The Applicant presents the modelling results for just the three Hitchin junctions. The methodology and results assessment have been reviewed.	<p>The following statements raise concern that the data provided is not accurate and representative for the purpose of answering the ExAs question.</p> <p>Para 1.5.7 – “...include the scenario where the proposed development is included but with no highway mitigation. These Existing Junctions ‘with Proposed Development’ scenarios are modelled using traffic flows extracted from the CBLTN-LTN Proposed Mitigation ‘with Proposed Development’ strategic model runs, as for previously explained reasons no strategic model run is available for the existing highway network ‘with Proposed Development’ traffic flows. As such, for the analysis of the Existing Junctions ‘with Proposed Development’ modelled scenarios, traffic flows were taken from the Proposed Mitigation ‘with Proposed Development’ strategic model run.”</p> <p>Para 1.5.8 – “This approach means that the traffic flows used in the Existing Junctions ‘with Proposed Development’ scenarios will not have taken into consideration any dynamic reassignment of trips resulting from the lack of proposed highway mitigation, which in some cases results in the ‘with development’ scenarios reporting a reduction in traffic flows in certain periods.”</p> <p>In not taking account of the dynamic reassignment of trips of trips above it is not possible to understand whether the mitigation proposals are addressing the forecast junction capacity issues because the traffic flow forecasts may not be representative.</p> <p>Comments on the modelling results:</p> <p><u>Phase 1 (21.5mppa) / 2027</u> – no mitigation proposed so only forecast Baseline and forecast with development is shown.</p> <ul style="list-style-type: none"> - Table 1 results show that there is an existing problem in the AM and PM peak on the A602 approaches at A602 Park Way / A602 Stevenage Rd / B656 Hitchin Hill / B56 London Road/ Gosmore Rd roundabout. - Table 2 & Table 3 junctions are not showing much difference between the scenarios. However, within the footnote to table 3 “<i>Wratten Road is a minor road and not included in the CBLTM-LTN model so nominal flow (of 15 PCU) is allocated to that approach (in all model scenarios).</i>” There is no evidence to suggest that this arbitrary value used in the assessment of this junction is accurate. It would be expected that most of the trips from Wratten Road would be turning right towards Hitchin and therefore opposing the flow on the other approaches. The Applicant should provide details of the turning assumptions used.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>The Hertfordshire Host Authorities do not consider from the information available that this junction has been modelled appropriately to accurately identify the mitigation scheme and effects and to demonstrate that the 15 PCU traffic flow on Wratten Road is appropriate.</p> <p><u>Phase 2a (27mppa) / 2039:</u></p> <ul style="list-style-type: none"> - Table 4 shows some improvement with the mitigation but still extensive queuing forecast on A602 approaches after the mitigation, especially PM on A602 Stevenage Road. - Table 5 overall queues reduced but the future baseline didn't forecast a significant impact, mitigation doesn't show any improvement and Upper Tilehouse Street in the PM has increased queues compared to the forecast Baseline. There is an increase of 484 PCUs in AM peak and 404 PCUs in the PM peak on Paynes Park with the development. <p>The junction modelling results as presented do not demonstrate that the proposed mitigation scheme is effective.</p> <ul style="list-style-type: none"> - Table 6 – demand in AM peak with Proposed Development is lower on A505 Offley Road (-258 PCUs), and there is an increase in PCUs in the with Proposed Development scenario on the other approaches. Queues are increased in the with Proposed Scheme scenario on Pirton Road with and without mitigation, indicating that the proposed mitigation may not be effective in the AM peak. For the PM peak with the Proposed Development the queue remains on A505 Offley Road, indicating that the proposed mitigation may not be effective. <p>The junction modelling results as presented do not demonstrate that the proposed mitigation scheme is effective.</p> <p><u>Phase 2b (32mppa) / 2043:</u></p> <ul style="list-style-type: none"> - Table 7 some improvement with the mitigation but still extensive queuing forecast on A602 approaches, and for the PM peak A603 Stevenage Rd still significant queue. - Table 8 queue increased on Upper Tilehouse Street in the PM peak compared to forecast existing situation. There is an increase of 417 PCUs on Paynes Park AM peak and similar magnitude in PM peak, reduction of demand on Upper Tilehouse Street. Overall, the mitigation doesn't show a notable improvement, with similar RFC and Queues being noted for without and with mitigation. <p>The Hertfordshire Host Authorities seek further information from the Applicant on the proposed re-routing of traffic in the junction modelling before being able to confirm that the proposed mitigation scheme is effective.</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>- Table 9 compared to forecast without mitigation on upper Tilehouse Street with the mitigation in the AM and PM peak, AM peak queue increased significantly on Pirton Road without mitigation and queue remains on Pirton Road with the mitigation, Offley Road PM peak queue forecast is more extensive than future baseline existing.</p> <p>The junction modelling results as presented do not demonstrate that the proposed mitigation scheme is effective.</p> <p>The Hertfordshire Host Authorities also refer the Applicant to their comments on the Outline TRIMMA [REP4-085] in relation to the alternative mitigation schemes that the Hertfordshire Host Authorities are seeking at these locations.</p>
General	Traffic & Transport: Surface Access: Off-Site Highway works	Traffic Modelling	<p>The Applicant should confirm whether the assessment uses the VISSIM model which uses traffic flows from the strategic model. If the old VISSIM model is still being used the Hertfordshire Host Authorities see no point in reviewing the modelling information until it is updated, see earlier comments in [REP2-058]: Hertfordshire Host Authorities' Principal Areas of Disagreement Summary Statement.</p>



7 REP4-083: APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 17: TERMS OF REFERENCE FOR THE AIRPORT TRANSPORT FORUM

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
REP4-083	ATF Terms of Reference	ATF Terms of Reference	<p>The Hertfordshire Host Authorities would welcome further engagement on the Terms of Reference for the ATF (and indeed the ATF Steering Group Terms of Reference) and the relationship between both of these and other processes. As the Applicant has continued to develop its approach to monitoring, governance, decision-making and funding (Sustainable Transport Fund, Residual Impact Fund) in relation to surface access, it would be helpful if the applicant could provide a single explanation of the various governance and decision-making processes with regard to all surface access matters.</p> <p>Figure 7.1: TP governance of [REP4-047] refers to the Travel Plan Coordinator engaging with the ATF on an ongoing quarterly basis, but [REP4-083] refers to twice yearly meetings.</p> <p>Experience elsewhere, for example the London Stansted Airport ATF, suggests to use of sub-groupings might be productive, but whether this would add value/be productive would depend to some extent on the overall picture (above) and the desire to avoid duplication wherever possible):</p> <p><u>Terms of Reference - Stansted Area Transport Forum (stanstedatf.com).</u></p>



8 REP4-084: APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 29: CATCHMENT AREA FOR STAFF WALKING AND CYCLING

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Traffic & Transport: Surface Access	Catchment area for staff walking and cycling	<p>The sample size of analysed data is 475; the total staff / sample rate is not provided. The Hertfordshire Host Authorities would like the Applicant to confirm the current sample rate of the annual staff survey.</p> <p>The walking catchment is not relevant for Hertfordshire Host Authorities.</p> <p>The cycling catchment shows a 45-60 min catchment into Hertfordshire towns including Harpenden, St Albans and towns and villages to the east of the A1(M) (approx. 20 of the survey sample). The ability to cycle is restricted mainly by convenience and lack of interest in cycling to work and quality of cycling provision for the 45-60 min catchment. Public transport responses are also presented and show that discounted tickets and more direct bus routes would encourage greater use. The Hertfordshire Host Authorities agree with this.</p> <p>The Hertfordshire Host Authorities consider that the opportunity for staff to use public transport from Hertfordshire is greater than for walking or cycling. However, they consider that opportunities for better links for cyclists and buses to the Luton DART from some areas may be easier to implement than to the terminal itself and should be explored further as part of the Framework Travel Plan (FTP). Improvement to the Luton-Harpenden cycle link is flagged as a top priority in England Economic Heartlands Active Travel Strategy.</p>



9 REP4-085: OUTLINE TRANSPORT RELATED IMPACTS MONITORING AND MITIGATION APPROACH (TRIMMA)

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Traffic & Transport: Surface Access. Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA)	<p>A Residual Impact Fund (RIF) secured through s106 agreement is identified in the updated document, applicable only to the Type 2 Mitigations (MT2) (residual traffic related impacts that may occur additional to Type 1). Type 1 mitigations (MT1) (off-site highway work contained in schedule 1 of the DCO) are secured through the DCO.</p> <p>Mitigations are categorised into Type 1 and Type 2 as above.</p> <p>Type 2 – secured through the Airport Transport Forum (ATF) steering group and funded via RIF.</p> <p>Emphasis on it being a working document and subject to change during the Examination process.</p>	<p>MT2 – responsibility of the Hertfordshire Host Authorities to fund and undertake additional monitoring exercise to demonstrate a location for consideration of additional mitigation. Hertfordshire and North Herts are agreeing with the Applicant the location for ongoing ANPR monitoring sites and our assumption is that the cost of these identified sites would be covered by them, this makes it even more important that the Hertfordshire Host Authorities have good and adequate coverage. Hertfordshire and North Herts Councils assume that the reference to ‘additional monitoring’ relates to sites where new unanticipated impacts come to the fore. If this is the case, then our role should be to identify issues and bring this to the attention of the Applicant and agree with them where monitoring needs to be undertaken but it should be the Applicants responsibility to fund the monitoring process (as it is to pick up the impact of their development).</p> <p>North Herts is satisfied with the proposal to set up monitoring of routes through villages in North Herts, subject to agreement on the locations and reporting. We have asked the applicant to consider how mitigations may be delivered in rural North Herts in a way that does not simply displace traffic from one village to another. We would like to see an outline plan for effectively and fairly addressing traffic growth in a high-growth scenario. We would expect this to propose interventions to support and encourage modal shift to active travel and public transport to reduce demand to travel by car, and thereby release rather than increase road capacity.</p> <p>Annual monitoring is proposed for MT1 (the monitoring sites identified in the works in Schedule 1 of the Order or agreed alternative) but the frequency of the ATF is just shown as ‘regular’ in Figure 2.1 of the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085] for MT2. Can the Applicant explain to the ExA what the proposed frequency of the ATF will be.</p> <p>Figure 3.1 of the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085] – pause in the monitoring proposed ‘when no growth for the most recent five-year period.’ The Hertfordshire Host Authorities do not consider that it would be appropriate or acceptable for there to be a pause in the monitoring. The Proposed Development will still need monitoring of traffic impacts, which could change or settle into a different pattern during any 5-year period as a result of other interventions that London Luton Airport implements through the FTP or MT1 mitigations. There should be no pause in the monitoring process during the Airport growth period.</p> <p>The Hertfordshire Host Authorities are content with the proposed 5-years post completion (2043) for the monitoring to end.</p> <p>Para 3.3.2 / Figure 3.3 of the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085]– annual MT1 monitoring is only triggered if the ML1 (monitoring in the London Luton Airport sites, e.g., car parks)</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>exceed the ML0 (baseline of pre-growth airport trips). ML2 (monitoring at MT1 locations is triggered only when ML0 or ML1 volumes are exceeded. ML3 (monitoring of MT1 locations is only triggered if ML2 traffic levels exceed pre-defined threshold of airport traffic). This appears to propose that annual monitoring will only occur at the London Luton Airport sites such as car parks, the other MT1 sites may therefore not be monitored annually. There will be a finite amount of parking at London Luton Airport and traffic levels and patterns will also be affected by the London Luton Airport growth within the wider MT1 network. The Hertfordshire Host Authorities reject this principle and would expect to see annual monitoring across all MT1 sites to assess the airport impact.</p> <p>The extent of the proposed monitoring in terms of programme during the year is not defined. Can the Applicant explain to the ExA how they will ensure that the data collected is representative of a typical level of traffic?</p> <p>There will need to be some additional constant monitoring sites to determine how reflective of the London Luton Airports operation the annual monitoring survey is. A two-week survey during a neutral month is proposed for the automatic number plate recognition (ANPR) survey. Can the Applicant explain to the ExA how a neutral month for airport travel is defined?</p> <p>Table 3.2 of the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085] – non-airport traffic is measured using ‘movements through MT1 locations’ that are not between the London Luton Airport sites and the MT1 locations. This will miss trips that are on the network related to London Luton Airport but ending at the off-site car parks, this will therefore not be reflective of the actual traffic changes associated with the airport expansion. The traffic related to the offsite London Luton Airport car parks (existing and future) needs to be accounted for in the airport traffic monitoring to get a clear view of the off-site impacts of the airport growth. Whist the off-site car parks are not the responsibility of the Applicant, they are a direct result of London Luton Airport and expansion of them will be directly related to any interventions that the Applicant is implementing with the Airport site itself. The Applicant should provide an updated section in the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085] to address this concern. North Herts requires direct monitoring of traffic through Hitchin annually unless the applicant is able to demonstrate that alternative measures of traffic are a reliable proxy. Monitoring of traffic entering London Luton Airport would not be a reliable proxy, as it does not include traffic terminating at off-site car parks, nor does it capture the geographical distribution of trips, which will vary in part because of competition between Luton and Stansted Airports.</p> <p>The proposed monitoring sites in Hertfordshire seem reasonable: A1081; B656; A602; Upper Tilehouse St; A505 Moormead Hill.</p> <p>Para 3.3.12 / Table 3.4 of the Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) [REP4-085] – the Applicant may agree to an alternative solution to the proposed Schedule 1 of the DCO – the Applicant’s</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>contribution to the cost of any changed scheme will be limited to the costs associated with the Schedule 1 proposals, and alternative proposals need to be delivered by the highway authority. The Hertfordshire Host Authorities have indicated that the proposed mitigations at the three junctions in Hitchin (schedule 1) are inadequate and that the cost associated with upgrading them should be investigated and accounted for in this planning application to ensure appropriate mitigation can be implemented. Hertfordshire and North Herts Councils do not agree to the Applicants proposal to limit the funding for the MT1 schemes to the scheme costs associated with the Schedule 1 proposals. The proposed schedule 1 schemes are not compliant with local policy (in particular the Local Transport Plan) and conflict with schemes set out in the North Central Hertfordshire Growth and Transport Plan for the Hitchin Hill (SM47) and Pirton Road (SM48) roundabouts.</p>



10 REP4-105: APPLICANT'S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 4: M1 A6 ROUTING ANALYSIS

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Figure 1-18	Traffic and Transport	M1-A6 Routing Analysis.	The Applicant should provide figures which clearly show the volumes of traffic on all links, as it is impossible to see the traffic flow differences between the scenarios presented without this information.



11 REP4-048: TRIP DISTRIBUTION PLANS

Document Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Figures 1 - 28	Traffic and Transport	Trip Distribution Plans.	The Applicant should provide figures which clearly show the volumes of traffic on all links as it is impossible to see the traffic flow differences between the scenarios presented without this information.



12 REP4-086: APPLICANT'S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 2: COVID 19 ADDITIONAL MODELLING TECHNICAL NOTE 1

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Section 2.2	Traffic and Transport	Covid-19 Modelling	The Applicant should provide more information on the trends by different vehicle types, cars, Light Goods Vehicle's (LGV's) and Heavy Goods Vehicle's (HGV's), between 2016 and 2023 where available.
Figure 10	Traffic and Transport	Covid-19 Modelling	The area shown in Figure 10, from which traffic counts have been used to undertake comparisons between 2016 and 2023, is a lot smaller than the simulation network presented in Figure 18.3 of the Environment Statement Chapter 18 Traffic and Transport Revision 1 [AS-030] . The Applicant should provide justification as to why counts across the wider simulation network have not been considered. As a result of a smaller area being considered, the number of counts used for the local network is very small, only two have been used for HCC, two for CBC and four for LBC. This is not adequate to provide a clear picture of the changes in traffic flow across the study area between 2016 and 2023. HCC provided data for 8 sites. The Applicant should confirm why only 2 sites have been used and justify why it considers this to be robust.
Figure 15	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm what time period is represented in Figure 15. The Applicant should provide changes in traffic flow volumes (and not percentages) in AM, IP and PM Cars, HGV's and LGV's where the data exists as this will shows the changes in different vehicle type volumes.
Figure 16	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm what time period is represented in Figure 16. The Applicant should provide changes in traffic flow volumes (and not percentages) in AM, IP and PM Cars, HGV's and LGV's where the data exists as this will shows the changes in different vehicle type volumes.
Figure 18	Traffic and Transport	Covid-19 Modelling	Site 371 sees a significant decrease in peak hour traffic post Covid-19. The Applicant should clarify whether they have investigated any other potential causes of this decrease, with the local authorities for example, to understand whether there is any other explanation for this reduction other than Covid-19.
Figure 20 and 22	Traffic and Transport	Covid-19 Modelling	Sites 40 and 57 sees a significant decrease in peak hour traffic post Covid-19. The Applicant should clarify whether they have investigated any other potential causes of this decrease, with the local authorities for example, to understand whether there is any other explanation for this reduction other than Covid-19.
Chapter 3	Traffic and Transport	Covid-19 Modelling	The Applicant should provide some commentary on the changes in bus use in the study area between 2016 and 2023.
Chapter 3	Traffic and Transport	Covid-19 Modelling	The Applicant should provide some commentary on the changes in London Luton Airport use in the study area between 2016 and 2023.
Figure 32	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm whether this graph is showing National or Local Growth Productions by mode.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Figure 33	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm whether this graph is showing National or Local Growth Productions.
Figure 34	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm whether this graph is showing National or Local Growth Productions.



13 REP4-106: APPLICANT’S RESPONSE TO ISSUE SPECIFIC HEARING 4 ACTION 2: COVID 19 ADDITIONAL MODELLING TECHNICAL NOTE 2 RISK ASSESSMENT

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Paragraph 2.3.2	Traffic and Transport	Covid-19 Modelling	The Applicant should provide the evidence to show that no changes in baseline and future mode choice are justifiable. The Applicant has acknowledged that Covid-19 has impacted demand levels and mode choice in paragraph 2.3.2. The Applicant should clarify whether the minimum mode split targets are still obtainable, given the changes in baseline mode choice referred to in paragraph 2.3.2 and the first forecast year is 2027.
Paragraph 2.3.3	Traffic and Transport	Covid-19 Modelling	The Applicant should provide evidence of the changes pre and post Covid-19 of modes used to travel to London Luton Airport. The Applicant should provide evidence of where the 18 mppa referred to in paragraph 2.3.3 has been derived from.
Paragraph 2.6.1	Traffic and Transport	Covid-19 Modelling	The Applicant should clarify how the 2023 forecasts year has been developed. The Applicant should clarify how the outcomes in the trends analysis set out in the Applicant's Response to Issue Specific Hearing 4 Action 2 - Covid 19 Additional Modelling Technical Note 1 [REP4-086] have been taken into consideration in the 2023 forecast.
Figure 3.1-3.12	Traffic and Transport	Covid-19 Modelling	The images of traffic flow changes provide inadequate detail, it is not possible to understand the volumes of traffic on the links which is essential. The Applicant needs to provide better maps that clearly show the traffic volume increases and decreases (in numbers) on the network.
Table 4.3 and Table 4.4	Traffic and Transport	Covid-19 Modelling	<p>The Applicant should clarify the criteria behind the colour coding of flow changes. Kimpton Road AADT (13%) increase is highlighted red. But 2027 IP (13%) is not. The Applicant should provide a map of the locations of the Local Road Network (LRN) and explain the reasoning for choosing these locations. The Applicant should explain for roads experiencing increases why these are occurring. The Hertfordshire Host Authorities request that the Applicant provides flow information as per Table 4.3 and 4.4 in Applicant's Response to Issue Specific Hearing 4 Action 2: Covid 19 Additional Modelling Technical Note 2 Risk Assessment [REP4-106] for the following links:</p> <ul style="list-style-type: none"> • A1081 (between A1081 link and Common Lane. • West Hyde Road. • Breachwood Green. • Luton White Hill /Lilley Bottom North. • Lilley Bottom South (Whitwell). <p>The Applicant should also provide traffic flow information with and without the Proposed Development expansion for the following roads on the potential diversion route to M1 Junction 9:</p> <ul style="list-style-type: none"> • Annables Lane / Watery Lane. • A1081 to the south of Common Lane (to identify impacts in Harpenden).



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>The Applicant should also confirm the location of the traffic flows comparison on Kimpton Road.</p> <p>This additional information will allow the Hertfordshire Host Authorities to understand how accurate the strategic model is on key links on the local road network.</p>
Table 4.5	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm how they have derived the 'average local road' and what this represents.
Figure 5.1-5.2	Traffic and Transport	Covid-19 Modelling	The images of rail flow changes provide inadequate detail, it is not possible to understand the volumes of traffic on the links which is essential. The Applicant needs to provide better maps which clearly show the traffic volume increases and decreases (in numbers) on the network.
Chapter 5	Traffic and Transport	Covid-19 Modelling	The Applicant provides Rail forecasts for 2043 in Environmental Statement Chapter 5. Approach to the Assessment Revision 1 [AS-075] . The Applicant should provide rail forecasts for the other forecast years 2023, 2027 and 2039.
Chapter 5	Traffic and Transport	Covid-19 Modelling	The Applicant should provide bus forecasts for all forecast years, 2023, 2027, 2039 and 2043.
Table 6.2	Traffic and Transport	Covid-19 Modelling	<p>The Applicant should provide the details for Vauxhall Way SB. The Applicant should provide an explanation as to why six sites having a GEH statistic of 14-29 is acceptable. The Hertfordshire Host Authorities are concerned that over representing of traffic flows in the base year will be affecting the future year traffic flow routing and therefore the impacts the Proposed Development is having on the local road network. The Applicant should provide the same comparisons for the 2016 modelled flows against 2016 observed. The Applicant should confirm how they have defined the Overall Result = OK</p> <p>The Applicant should provide modelled and observed flow comparisons for all locations for which they have observed data provided by Hertfordshire County Council.</p> <p>Hertfordshire County Council supplied data for the following additional sites which are not shown in the table:</p> <ul style="list-style-type: none"> • Site 126 – A5183 N of St Albans. • Site 132 Harpenden Road N of St Albans. • Site 106 – A414 west of Park Street. <p>On the Strategic Road network, Hertfordshire County Council provided data for the following site:</p> <ul style="list-style-type: none"> • 109 A1m North of Junction 8.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Table 6.4	Traffic and Transport	Covid-19 Modelling	<p>The Applicant should provide the details for Vauxhall Way SB. The Applicant should provide an explanation as to why two sites having a GEH of 14-21.6 is acceptable. The Hertfordshire Host Authorities are concerned that over representing of traffic flows in the base year will be affecting the future year traffic flow routing and therefore the impacts the Proposed Development is having on the local road network. The Applicant should provide the same comparisons for the 2016 modelled flows against 2016 observed. The Applicant should confirm how they have defined the Overall Result = OK. The Applicant should provide modelled and observed flow comparisons for all locations they have observed data provided by Hertfordshire County Council.</p> <p>Hertfordshire County Council supplied data for the following additional sites which are not shown in the table:</p> <ul style="list-style-type: none"> • Site 126 – A5183 N of St Albans. • Site 132 Harpenden Road N of St Albans. • Site 106 – A414 west of Park Street. <p>On the Strategic Road network, Hertfordshire County Council provided data for the following site:</p> <ul style="list-style-type: none"> • 109 A1m North of Junction 8.
Table 6.6	Traffic and Transport	Covid-19 Modelling	<p>The Applicant should provide the details for Vauxhall Way SB. The Applicant should provide an explanation as to why eight sites having a GEH of 11.1-27.2 is acceptable. The Hertfordshire Host Authorities are concerned that over representing of traffic flows in the base year will be affecting the future year traffic flow routing and therefore the impacts the Proposed Development is having on the local road network. The Applicant should provide the same comparisons for the 2016 modelled flows against 2016 observed. The Applicant should confirm how they have defined the Overall Result = OK.</p> <p>Hertfordshire County Council supplied data for the following additional sites which are not shown in the table.</p> <ul style="list-style-type: none"> • Site 126 – A5183 N of St Albans. • Site 132 Harpenden Road N of St Albans. • Site 106 – A414 west of Park Street. <p>On the Strategic Road network. Hertfordshire County Council provided data for the following site:</p> <ul style="list-style-type: none"> • 109 A1m North of Junction 8.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Paragraph 6.1.4	Traffic and Transport	Covid-19 Modelling	The Applicant should provide a justification as to why no adjustment has been made to the base or future years models, in-line with DfT TAG guidance, to account for the findings in Applicant's Response to Issue Specific Hearing 4 Action 2 - Covid 19 Additional Modelling Technical Note 1 [REP4-086] trends analysis
Paragraph 6.1.5	Traffic and Transport	Covid-19 Modelling	The Applicant should confirm whether any downward adjustment has been applied to the Local Road Network.
Paragraph 7.1.5	Traffic and Transport	Covid-19 Modelling	The Applicant propose not to make adjustments to base and future year models, but this was not agreed with Host Authorities. The Applicant should either justify why no adjustments as set out in TAG M4 are required or make adjustments in line with the options set out in TAG M4.
Paragraph 7.1.6	Traffic and Transport	Covid-19 Modelling	TAG Unit M4 provides possible ways of taking the impacts of Covid-19 into account. The Applicant should justify why not following any of the options in TAG M4 is acceptable.
Paragraph 7.1.8	Traffic and Transport	Covid-19 Modelling	The Hertfordshire Host Authorities do not agree with the Applicant's statement in this paragraph as the approach they have adopted does not comply with the guidelines set out in TAG M4.
Paragraph 7.2.1	Traffic and Transport	Covid-19 Modelling	The Hertfordshire Host Authorities do not agree with the Applicant's statement in this paragraph as the approach they have adopted does not comply with the guidelines set out in TAG M4.
Paragraph 7.2.2	Traffic and Transport	Covid-19 Modelling	The Hertfordshire Host Authorities do not agree with the Applicant's statement in this paragraph as the approach they have adopted does not comply with the guidelines set out in TAG M4.



14 REP4-091 APPLICANT'S RESPONSE TO ISSUE SPECIFIC HEARING 6 ACTION 23: VISUAL RECEPTORS PLAN

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Visual receptors	Provision of visual receptors plan.	The cross referencing of viewpoints with the identification of visual receptors on a single drawing is helpful. Could the Applicant provide a version of the plan with the Zone of Theoretical Visibility overlayed so that the specific visual receptors can be perceived in relation to the general theoretical visibility coverage.



15 REP4-092 APPLICANT'S RESPONSE TO ISSUE SPECIFIC HEARING 6 ACTION 30 AND COMPULSORY ACQUISITION HEARING 1 ACTION 32: HEDGEROW RESTORATIONS PROPOSALS PLAN

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Landscape and Visual	Hedgerow restoration.	It is difficult to discern some of the detail in the plan. The Hertfordshire Host Authorities request that the Applicant please provide the drawing at A1 1:5000 scale, or similar, to allow the detail to be understood.



16 REP4-003: DRAFT DEVELOPMENT CONSENT ORDER

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Articles 2 and 44	Interaction with LLAOL planning permission and section 106 agreements	Amendments to definition of “LLAOL planning permission” and new definition for “LLAOL section 106 agreement”	<p>The Hertfordshire Host Authorities welcome the additional clarity brought by the amendments to the definition of “<i>LLAOL planning permission</i>” and the new definition for “<i>LLAOL section 106 agreement</i>”.</p> <p>The acceptability of abrogating the LLAOL section 106 agreement and the cessation of the LLAOL planning permission through the exercise of the power contained in article 44 will depend to a large extent on whether the regime that replaces it under the DCO and a new section 106 agreement are appropriate. In this regard, discussions relating to the section 106 development consent obligations, and conditions of earlier planning permissions that are to be carried over into the DCO, are at an early stage. The Hertfordshire Host Authorities are continuing to work with the Applicant in this regard.</p> <p>While those discussions are ongoing one key aspect of the practical application of article 44 as currently drafted is that it would allow the undertaker the option of switching the DCO regime prior to exceeding the annual passenger limit under the Town and Country Planning Act 1990 planning permissions. Consequently, it is important that the requirements and development consent obligations for the Applicant’s proposal is fit for purpose for the full range of operating conditions for which the Applicant seeks development consent.</p> <p>The Hertfordshire Host Authorities note the amendment to article 44(1) such that the notice required by that provision is to be served on Luton Borough Council, rather than “<i>relevant planning authority</i>”. The amendment provides welcome clarity, however, all of the lower tier authorities that host part of the land within the Order limits potentially have a role in the enforcement of the Order once the undertaker chooses to operate under it. Therefore, the Hertfordshire Host Authorities would welcome a commitment by the Applicant to contemporaneously notify all of the Hertfordshire Host Authorities of the service of notice under article 44(1), but the Hertfordshire Host Authorities accept that such a commitment could be readily amenable to being a development consent obligation.</p>
Requirement 2	Amendments to approved details	New sub-paragraph (5)	<p>The Hertfordshire Host Authorities welcome the addition of new sub-paragraph (5) that clarifies the information required to be included in an application to amend previously approved details.</p>
Requirement 5	Detailed design, phasing and implementation	Various amendments and new provisions	<p>The Hertfordshire Host Authorities welcome the new sub-paragraph (2) and corresponding amendments to sub-paragraph (3) which together provide greater detail as to what is required to be included in an application for detailed design approval.</p> <p>Despite this positive addition, which clarifies the parts of the authorised development for which detailed design approval is sought, nothing in this requirement would prevent partial discharge of requirements in relation to other</p>



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			<p>aspects of the authorised development that are beyond the scope of an approval under requirement 5. Thus, there remains the prospect of, for example, the undertaker seeking approval of the management plans under requirement 7 for one geographic area (i.e., a “part” of the authorised development) whilst approval is sought under requirement 5 another “part” of the authorised development. It is this fragmentation that risks imposing a greater administrative burden on the Hertfordshire Host Authorities and other consultees. This concern could be addressed by linking the parts of the authorised development for which approval is sought under requirement 5 to the parts of the authorised development for which approval is sought in relation to the other pre-commencement requirements contained in Part 2.</p> <p>The inclusion of the “<i>scheme layout plans</i>” is a helpful addition, but the Hertfordshire Host Authorities are not clear on what is envisaged would be submitted to satisfy paragraph (2)(b)(ii) “<i>plans identifying the location and extent of those works relative to the scheme layout plans</i>”? Could the Applicant produce a worked example of this to illustrate how it envisages this working in practice to the ExA?</p> <p>On a minor drafting point, the Hertfordshire Host Authorities query whether the reference to “paragraph 35 of Part 5 of this Schedule” contained in requirement 5(2)(e) ought to instead be a reference to paragraph 36 (further information)?</p>
Requirements 27 and 28	Fixed plant noise management plan and ground noise management plan	Amendments to an existing, and the introduction of a new, requirement	The Hertfordshire Host Authorities do not have any comments on the drafting of these requirements at this stage, but their acceptability hinges on the content of the fixed plant noise management plan and the outline ground noise monitoring plans respectively, in relation to which, please see comments elsewhere in this document.
Requirements 34 and 35	Interpretation and applications made under requirement	Provisions relating to consultation with a “discretionary consultee”	<p>The amendments related to discretionary consultees are, in general welcome. However, it is important to note that a local authority retains a general discretion in the exercise of its functions to consult and, in some circumstances (such as for example in relation to a “subsequent application” as defined in regulation 3 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017) the Applicant is required to consult more widely than the bodies listed in this definition.</p> <p>These provisions would be improved by making it clear that it is without limitation to the authority’s capacity to consult such persons as it considers to be appropriate in the circumstances that pertain to the approval sought by the undertaker. Given the long-term nature of the Applicant’s proposal, it would be inappropriate at this stage to limit the persons that may be consulted in relation to an application under requirement.</p>
Requirement 36	Further information	Amendments consequential on the introduction of “discretionary consultee” provisions	The provisions of requirements 36(2) to (4) which prescribe the periods after the expiry of which the undertaker need not comply with a request for information are in any event unrealistically short affording a consultee only five working days to determine whether or not further information is necessary to determine an application.



Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
			Without prejudice to that concern, the provisions of paragraph (4) ought to apply where the relevant planning has consulted another person on the application, whether or not that consultation is expressly required by the terms of the requirement in question, whether the relevant planning authority elects to consult a “discretionary consultee” or whether the relevant planning authority considers it to be appropriate in the circumstances to consult some other person.
Requirement 37	Register of requirements	Introduction of a new requirement	The Hertfordshire Host Authorities welcome new requirement 37.



17 REP4-041: GLINT AND GLARE ASSESSMENT (TRACKED CHANGE VERSION)

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
Section 2.2.3	Landscape and Visual	Scope of Assessment: Identification of sensitive receptors	Sensitive visual receptors do not appear to be scoped into the Glint and Glare assessment. The Applicant should provide details of how the Glint and Glare Assessment has informed the Landscape and Visual impact Assessment (LVIA) [AS-079] and the draft Chilterns Area of Outstanding Natural Beauty (AONB) Special Qualities Assessment version 1.0 issued for stakeholder consultation 23/10/23.



18 REP4-042: DRAFT COMPENSATION POLICIES, MEASURES AND COMMUNITY FIRST

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General comment.	Noise and Vibration	Ground noise insulation scheme	The updates to the document introduce a ground noise insulation scheme to apply to habitable rooms within the 55 dB $L_{Aeq,16hour}$ contour and bedrooms within the 45 dB $L_{Aeq,8hour}$ contour, with £4,500 per property available. This approach is welcomed by the Hertfordshire Host Authorities.



19 REP4-045: FRAMEWORK TRAVEL PLAN (TRACKED CHANGE VERSION)

Reference	Topic	Matters Raised	Hertfordshire Host Authorities Comment
General	Surface Access: Framework Travel Plan (FTP)	<p>Updates to tables of 'Toolbox of Interventions' (table 5.1 to table 5.5 inclusive). Now includes two additional columns for 'indicative timescale' and 'considerations/restrictions to implementation'.</p> <p>No other notable changes to the document.</p>	<p>Bus / coach provision is still noted as 'new routes need to be commercially viable for the transport operator'. The Hertfordshire Host Authorities have raised concerns about this approach and consider that there is a need to identify and fund some new routes up-front, effectively pump-priming them, in order to promote and encourage mode shift to sustainable modes from the outset. There is still no commitment to this as part of the Travel Plan or any confirmation that sufficient funding will be available through the Sustainable Transport Fund (STF). There is a lack of bus provision between Luton and Welwyn Garden City / Hatfield and also Hemel Hempstead which would be unlikely to be commercially viable from the outset but would offer good connections to assist with achieving mode share targets from the east of London Luton Airport.</p> <p>The tables in the 'Toolbox of Interventions' demonstrate that there will be a lot of competing demand on the STF from the toolbox of potential interventions across the various modes and it is still not clear that sufficient funding will be available at the appropriate time through this fund to implement these measures and how the funding will be fairly allocated to the varying competing demands on the limited fund.</p>



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