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Luton Rising

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Dear Jo Dowling

London Luton Airport Expansion Project

Response to Deadline 6 of the Examination

1. Submissions made at Deadline 6

Please see Appendix A (Tables 1 and 2) for a list of new and updated documents in clean and tracked change versions submitted by Luton Rising (the Applicant) for Deadline 6 of the Examination of the London Luton Airport Expansion Project.

2. Statements of Common Ground (SoCGs)

Discussions continue to take place between the Applicant and other Interested Parties with regards to the SoCGs, with good progress made and there are a number of SoCGs with all matters agreed. The latest position on each of the SoCGs is provided below.

The following SoCGs are submitted at Deadline 6:

- **SoCG between London Luton Airport Limited and World Fuel Services [TR020001/APP/8.02]** – All matters were agreed at Deadline 2. The SoCG has been signed by World Fuel Services and the Applicant and submitted at Deadline 6.
- **SoCG between London Luton Airport Limited and Prax [TR020001/APP/8.03]** – All matters were agreed at Deadline 2. The SoCG has been signed by Prax and the Applicant and submitted at Deadline 6.
- **SoCG between London Luton Airport Limited and Historic England [TR020001/APP/8.05]** – An additional matter was raised after Deadline 3, so an updated SoCG has been submitted at Deadline 6. All but one matter in the SoCG are agreed, with one not agreed. The SoCG has been signed by Historic England and the Applicant.
- **SoCG between London Luton Airport Limited and Thames Water Utilities Limited [TR020001/APP/8.06]** – An updated SoCG is submitted at Deadline 6. The Applicant continues to engage with Thames Water to finalise the SoCG ahead of Deadline 9.

- **SoCG between London Luton Airport Limited and the Environment Agency [TR020001/APP/8.07]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and Affinity Water [TR020001/APP/8.08]** – An updated SoCG is submitted at Deadline 6, with engagement to continue ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and the Civil Aviation Authority [TR020001/APP/8.10]** – An updated SoCG is submitted at Deadline 6. All matters have been agreed with the Interested Party. The Applicant is engaging with the Interested Party to progress the signing of the SoCG ahead of Deadline 9.
- **SoCG between London Luton Airport Limited and National Highways [TR020001/APP/8.11]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and the UK Health Security Agency [TR020001/APP/8.12]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and Buckinghamshire Council [TR020001/APP/8.18]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and the East of England Ambulance Service [TR020001/APP/8.19]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and the Bedfordshire Fire and Rescue Service [TR020001/APP/8.20]** – An updated SoCG is submitted at Deadline 6. All matters have been agreed and the document is signed by Bedfordshire Fire and Rescue Service and the Applicant.
- **SoCG between London Luton Airport Limited and NATS (En Route) PLC [TR020001/APP/8.21]** – Whilst all matters remain agreed, some text within the matters has been updated so an updated SoCG is submitted at Deadline 6. The Applicant is engaging with the NATS (En Route) to progress the signing of the SoCG ahead of Deadline 9.
- **SoCG between London Luton Airport Limited and Natural England [TR020001/APP/8.42]** – An updated SoCG is submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 at which point the document will be finalised.

For the above SoCGs tracked change and clean versions have been submitted at Deadline 6. The exceptions are the SoCGs with Prax and World Fuel Services, where tracked change versions have not been submitted. This is because there is no change to the content of these SoCGs - the only update since Deadline 2 is that they have now been signed by both the Interested Party and the Applicant.

The following SoCGs have not been submitted at Deadline 6:

- **SoCG between London Luton Airport Limited and Bedfordshire Police [TR020001/APP/8.01]** – All matters were agreed and the SoCG signed at Deadline 2. There have been no further updates so this SoCG has not been submitted again at Deadline 6.

- **SoCG between London Luton Airport Limited and Cadent [TR020001/APP/8.04]** – Engrossments for the side agreement and Protective Provisions have been issued to Cadent for approval and execution. The SoCG has therefore not been submitted at Deadline 6 as the majority of remaining matters relate to these. Once the side agreements have been finalised Cadent will be asked to withdraw its relevant representation.
- **SoCG between London Luton Airport Limited and NATS (Services) Limited [TR020001/APP/8.09]** – All matters were agreed at Deadline 2 and there have been no further updates to the SoCG, therefore the SoCG has not been submitted at Deadline 6. The Applicant is engaging with the Interested Party to progress the signing of the SoCG ahead of Deadline 9.

Statements of Common Ground with the Host Authorities

The Applicant has submitted updated SoCGs with the Host Authorities. The Applicant has sought to address the comments received, where possible, in time for Deadline 6; however due to the late receipt of some comments it has not been possible to incorporate them all. An update for each Host Authority SoCG is provided below.

- **SoCG between London Luton Airport Limited and Luton Borough Council [TR020001/APP/8.13]** – Comments raised by Luton Borough Council (LBC) have been addressed and included for Deadline 6. The Applicant will continue engaging with LBC ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and Central Bedfordshire Council [TR020001/APP/8.14]** – Comments raised by Central Bedfordshire Council (CBC) have been addressed and included for Deadline 6. The Applicant will continue engaging with CBC ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and Hertfordshire County Council [TR020001/APP/8.15]** – The Applicant has taken the time to address the majority of comments raised by Hertfordshire County Council (HCC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with HCC ahead of Deadline 9 at which point the document will be finalised.
- **SoCG between London Luton Airport Limited and North Hertfordshire District Council [TR020001/APP/8.16]** – The Applicant has taken the time to address the majority of comments raised by North Hertfordshire District Council (NHDC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with NHDC ahead of Deadline 9 to finalise the document.
- **SoCG between London Luton Airport Limited and Dacorum Borough Council [TR020001/APP/8.17]** – The Applicant has taken the time to address the majority of comments raised by Dacorum Borough Council (DBC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with DBC ahead of Deadline 9 at which point the document will be finalised.

3. Action Points arising from the Open Floor Hearing, Compulsory Acquisition Hearing and Issue Specific Hearings

The Applicant has provided a table at the end of each of its Post Hearing Submissions, which sets out the Applicant's response to the ExA's Action Points for Deadline 6 and where these have been responded to by the Applicant in the documents submitted at this deadline.

This includes the ExA Action Points republished on 5 December 2023 to reflect amended deadlines requested by the Applicant and agreed by the ExA for Compulsory Acquisition Hearing 2 (CAH2) [EV12-006], Issue Specific Hearing 7 (ISH7) [EV14-008], ISH8 [EV15-013], ISH9 [EV16-009] and ISH10 [EV17-007].

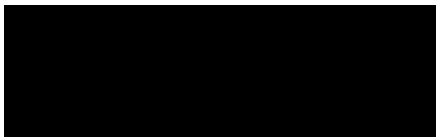
4. Draft Development Consent Order (DCO) – Deadline 7

As discussed and agreed with the ExA at ISH 10, there is no updated DCO submitted at Deadline 6, as the Applicant requires sufficient time to work through the potential DCO amendments arising from the recent round of hearings. The ExA asked that the Applicant provide an indication at Deadline 6 of the substantive drafting changes it is currently giving consideration to – these are summarised as follows, noting that this list of matters may evolve between now and Deadline 7:

- consideration of mechanism to inform other relevant planning authorities when notice has been served under article 44(1);
- amendments to article 44(2) to carry over certain conditions from the existing airport planning permission to secure the delivery of necessary works after article 44(1) notice is served;
- consideration of clarificatory drafting in article 45(1) to allay concerns about the extent of operational land;
- consideration of amendments to address queries raised about the timing and effect of article 45(2)-(5);
- further review of the process for detailed design and phasing under Requirement 5, in response to matters raised at ISH8 and ISH10;
- amendment to Requirement 26 to secure the **Air Noise Management Plan [TR020001/APP/8.125]** – into which the night quota period scheduled movements cap will be relocated; and
- review of the consultation and discharging process under Requirements 34-36, including timescales for consultation and requests for additional information.

Please do not hesitate to get in touch should you have any further comments or questions.

Yours sincerely,



Antony Aldridge
Head of DCO Programme

APPENDIX A – DEADLINE 6 LUTON RISING DOCUMENTS SUBMITTED

Table 1: List of new documents submitted by the Applicant for Deadline 6

Document Title	Document Number
Applicant's Response to Hearing Actions	
Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review	TR020001/APP/8.139
Applicant's Response to Issue Specific Hearing 4 Action 7 - Update on M1 Junction 10 Road Safety Audit	TR020001/APP/8.140
Applicant's Response to Issue Specific Hearing 10 Action 19 - Summary of the Section 106 Heads of Terms	TR020001/APP/8.141
Applicant's Response to Issue Specific Hearing 8 Action 22 - Proposed Odour Reporting Process	TR020001/APP/8.142
Applicant's Response to Issue Specific Hearing 8 Action 21 - Hitchin AQMA Impact Assessment Summary Note	TR020001/APP/8.143
Applicant's Response to Issue Specific Hearing 8 Action 42 - Draft Chilterns Area of Outstanding Natural Beauty Special Qualities Assessment	TR020001/APP/8.144
Applicant's Response to Issue Specific Hearing 9 Action 26 - Air Quality Monitoring	TR020001/APP/8.147
Applicant's Post Hearing Submissions	
Applicant's Post Hearing Submission - Compulsory Acquisition Hearing 2 (CAH2)	TR020001/APP/8.133
Applicant's Post Hearing Submission - Issue Specific Hearing 7 (ISH7)	TR020001/APP/8.134
Applicant's Post Hearing Submission - Issue Specific Hearing 8 (ISH8)	TR020001/APP/8.135
Applicant's Post Hearing Submission - Issue Specific Hearing 9 (ISH9)	TR020001/APP/8.136
Applicant's Post Hearing Submission - Issue Specific Hearing 10 (ISH10)	TR020001/APP/8.137
Applicant's Post Hearing Submission – Open Floor Hearing 3 (OFH3)	TR020001/APP/8.138
Applicant's Response to Deadline 5 Submissions	
Applicant's Response to Deadline 5 Submissions	TR020001/APP/8.127
Applicant's Response to Deadline 5 Submissions - Appendix A - LADACAN	TR020001/APP/8.127
Applicant's Response to Deadline 5 Submissions - Appendix B - Buckinghamshire Council	TR020001/APP/8.127

Document Title	Document Number
Applicant's Response to Deadline 5 Submissions - Appendix C - Central Bedfordshire Council	TR020001/APP/8.127
Applicant's Response to Deadline 5 Submissions - Appendix D - Dacorum Borough Council, Hertfordshire County Council & North Hertfordshire Council	TR020001/APP/8.127
Applicant's Response to Deadline 5 Submissions - Appendix E - National Highways	TR020001/APP/8.127
Applicant's Response to Written Question Responses	
Written Question Responses - Applicant's Response to Buckinghamshire Council's Comments	TR020001/APP/8.128
Written Question Responses - Applicant's Response to Central Bedfordshire Council's Comments	TR020001/APP/8.129
Written Question Responses - Applicant's Response to Hertfordshire Host Authorities' Comments	TR020001/APP/8.130
Written Question Responses - Applicant's Response to Luton Borough Council's Comments	TR020001/APP/8.131
Written Question Responses - Applicant's Response to Comments by The Harpenden Society, LADACAN and NEF	TR020001/APP/8.132
Additional Documents	
Air Noise Management Plan	TR020001/APP/8.125
Response to Suono's note on Noise Controls	TR020001/APP/8.126
Surface Access Controls - Relationship Map <i>Note: this document was submitted early for Deadline 6, on 30 November 2023, in response to a request by the ExA at ISH9. It has not been included as part of this Deadline 6 submission but is noted in this table for completeness.</i>	TR020001/APP/8.145

Table 2: Updated list of documents submitted by the Applicant for Deadline 6

Document Title	Document Number
Volume 1	
Application Document Tracker	TR020001/APP/1.06
Volume 5	
Environmental Statement – Appendix 4.2 Code of Construction Practice Environmental Statement – Appendix 4.2 Code of Construction Practice (Tracked Change Version)	TR020001/APP/5.02

Document Title	Document Number
<p>Environmental Statement – Appendix 17.5 Outline Remediation Strategy (for Former Eaton Green Landfill)</p> <p>Environmental Statement – Appendix 17.5 Outline Remediation Strategy (for Former Eaton Green Landfill) (Tracked Change Version)</p>	TR020001/APP/5.02
<p>Environmental Statement – Appendix 17.6 Outline Foundation Works Risk Assessment</p> <p>Environmental Statement – Appendix 17.6 Outline Foundation Works Risk Assessment (Tracked Change Version)</p>	TR020001/APP/5.02
<p>Environmental Statement – Appendix 18.3 Outline Construction Management Plan</p> <p>Environmental Statement – Appendix 18.3 Outline Construction Management Plan (Tracked Change Version)</p>	TR020001/APP/5.02
Volume 8	
Statement of Common Ground between London Luton Airport Limited and World Fuel Services	TR020001/APP/8.02
Statement of Common Ground between London Luton Airport Limited and Prax Downstream UK Limited	TR020001/APP/8.03
<p>Statement of Common Ground between London Luton Airport Limited and Historic England</p> <p>Statement of Common Ground between London Luton Airport Limited and Historic England (Tracked Change Version)</p>	TR020001/APP/8.05
<p>Statement of Common Ground between London Luton Airport Limited and Thames Water Utilities</p> <p>Statement of Common Ground between London Luton Airport Limited and Thames Water Utilities (Tracked Change Version)</p>	TR020001/APP/8.06
<p>Statement of Common Ground between London Luton Airport Limited and the Environment Agency</p> <p>Statement of Common Ground between London Luton Airport Limited and the Environment Agency (Tracked Change Version)</p>	TR020001/APP/8.07
<p>Statement of Common Ground between London Luton Airport Limited and Affinity Water</p> <p>Statement of Common Ground between London Luton Airport Limited and Affinity Water (Tracked Change Version)</p>	TR020001/APP/8.08
<p>Statement of Common Ground between London Luton Airport Limited and the Civil Aviation Authority</p> <p>Statement of Common Ground between London Luton Airport Limited and the Civil Aviation Authority (Tracked Change Version)</p>	TR020001/APP/8.10
<p>Statement of Common Ground between London Luton Airport Limited and National Highways</p> <p>Statement of Common Ground between London Luton Airport Limited and National Highways (Tracked Change Version)</p>	TR020001/APP/8.11

Document Title	Document Number
Statement of Common Ground between London Luton Airport Limited and the UK Health Security Agency Statement of Common Ground between London Luton Airport Limited and the UK Health Security Agency (Tracked Change Version)	TR020001/APP/8.12
Statement of Common Ground between London Luton Airport Limited and Luton Borough Council Statement of Common Ground between London Luton Airport Limited and Luton Borough Council (Tracked Change Version)	TR020001/APP/8.13
Statement of Common Ground between London Luton Airport Limited and Central Bedfordshire Council Statement of Common Ground between London Luton Airport Limited and Central Bedfordshire Council (Tracked Change Version)	TR020001/APP/8.14
Statement of Common Ground between London Luton Airport Limited and Hertfordshire County Council Statement of Common Ground between London Luton Airport Limited and Hertfordshire County Council (Tracked Change Version)	TR020001/APP/8.15
Statement of Common Ground between London Luton Airport Limited and North Hertfordshire District Council Statement of Common Ground between London Luton Airport Limited and North Hertfordshire District Council (Tracked Change Version)	TR020001/APP/8.16
Statement of Common Ground between London Luton Airport Limited and Dacorum Borough Council Statement of Common Ground between London Luton Airport Limited and Dacorum Borough Council (Tracked Change Version)	TR020001/APP/8.17
Statement of Common Ground between London Luton Airport Limited and Buckinghamshire Council Statement of Common Ground between London Luton Airport Limited and Buckinghamshire Council (Tracked Change Version)	TR020001/APP/8.18
Statement of Common Ground between London Luton Airport Limited and the East of England Ambulance Service Statement of Common Ground between London Luton Airport Limited and the East of England Ambulance Service (Tracked Change Version)	TR020001/APP/8.19
Statement of Common Ground between London Luton Airport Limited and the Bedfordshire Fire and Rescue Service Statement of Common Ground between London Luton Airport Limited and the Bedfordshire Fire and Rescue Service (Tracked Change Version)	TR020001/APP/8.20

Document Title	Document Number
<p>Statement of Common Ground between London Luton Airport Limited and NATS (En Route) PLC</p> <p>Statement of Common Ground between London Luton Airport Limited and NATS (En Route) PLC (Tracked Change Version)</p>	TR020001/APP/8.21
<p>Statement of Commonality for Statements of Common Ground</p> <p>Statement of Commonality for Statements of Common Ground (Tracked Change Version)</p>	TR020001/APP/8.22
<p>Status of Negotiations/Compulsory Acquisition Schedule</p> <p>Status of Negotiations/Compulsory Acquisition Schedule (Tracked Change Version)</p>	TR020001/APP/8.34
<p>Statement of Common Ground between London Luton Airport Limited and Natural England</p> <p>Statement of Common Ground between London Luton Airport Limited and Natural England (Tracked Change Version)</p>	TR020001/APP/8.42