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London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

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**8.02 Statement of Common Ground between London
Luton Airport Limited and World Fuel Services**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.02

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.02 STATEMENT OF COMMON GROUND BETWEEN LONDON
LUTON AIRPORT LIMITED (TRADING AS LUTON RISING) AND
WORLD FUEL SERVICES**

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) London Luton Airport Limited (trading as Luton Rising) and (2) World Fuel Services.

Signed on Behalf of LONDON LUTON AIRPORT LIMITED (TRADING AS LUTON RISING)

Signature: 

Name: Antony Aldridge

Position: Head of DCO Programme

Date: 06 December 2023

Signed on Behalf of WORLD FUEL SERVICES

Signature: 

Name: Antonio Pagliarulo

Position: Director Operations

Date: 06-12-2023

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1 INTRODUCTION AND PURPOSE

1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) relates to an application made by London Luton Airport Limited, trading as Luton Rising (“the Applicant”), to the Secretary of State for Transport under section 37 of the Planning Act 2008 (“the Act”).

1.1.2 The application is for an order granting development consent, known as a Development Consent Order (DCO). The draft DCO is referred to as the London Luton Airport (Expansion) Development Consent Order. The DCO, if granted, would authorise an increase of the permitted capacity of London Luton Airport (“the airport”) to 32 million passengers per annum (mppa) (“the Proposed Development”).

1.1.3 This SoCG has been prepared by the Applicant and World Fuel Services in respect of the Proposed Development. In particular, this SoCG focuses on:

- a. The fuel supply strategy for the Proposed Development.

1.1.4 The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government’s guidance entitled “Planning Act 2008: examination of applications for development consent” (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:

“A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence.”

1.1.5 SoCGs are therefore a useful and established means of ensuring that the evidence at the DCO examination phase focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

1.2 Parties to this SoCG

1.2.1 The Applicant is the owner of the airport and is a private limited company wholly owned by Luton Borough Council (LBC). The airport is managed and operated by London Luton Airport Operations Ltd through a Concession Agreement with the Applicant and LBC. This agreement lasts until 2032.

1.2.2 World Fuel Services (WFS) optimises energy, logistics and related services for Aviation, Marine, Commercial, Industrial and Land Transportation. WFS is a key

stakeholder that has been consulted throughout the course of the development of the Proposed Development.

- 1.2.3 The Applicant and WFS are collectively referred to in this SoCG as ‘the parties’. The parties have been, and continue to be, in direct communication in respect of the Proposed Development.

1.3 Proposed Development description

- 1.3.1 The Proposed Development builds on the current operational airport with the construction of a new passenger terminal and additional aircraft stands to the north east of the runway. This will take the overall passenger capacity to 32 mppa¹. In addition to the above and to support the initial increase in demand, the existing infrastructure and supporting facilities will be improved in line with the incremental growth in capacity of the airport.

- 1.3.2 Key elements of the Proposed Development include:

- (i) extension and remodelling of the existing passenger terminal (Terminal 1) to increase the capacity;
- (ii) new passenger terminal building and boarding piers (Terminal 2);
- (iii) earthworks to create an extension to the current airfield platform; the vast majority of materials for these earthworks would be generated on site;
- (iv) airside facilities including new taxiways and aprons, together with relocated engine run-up bay and fire training facility;
- (v) landside facilities, including buildings which support the operational, energy and servicing needs of the airport;
- (vi) enhancement of the existing surface access network, including a new dual carriageway road accessed via a new junction on the existing New Airport Way (A1081) to the new passenger terminal along with the provision of forecourt and car parking facilities;
- (vii) extension of the Luton Direct Air to Rail Transit (Luton DART) with a station serving the new passenger terminal;

¹ On 1 December 2021, the local planning authority (Luton Borough Council) resolved to grant permission for the current airport operator (LLAOL) to grow the airport up to 19 mppa, from its previous permitted cap of 18 mppa. However, the application was then called-in and referred to the Secretary of State for determination instead of being dealt with by the local planning authority, and an inquiry to consider the called-in application took place between Tuesday 27 September 2022 and Friday 18 November 2022. At the time the application for development consent was submitted, the outcome of the inquiry was still unknown and, therefore, all of the core assessment undertaken for the application used a “baseline” of 18 mppa. The application by LLAOL has however since been approved, with a joint decision to grant planning permission issued by the Secretary of State for Transport and Secretary of State for Levelling Up, Housing and Communities on 13 October 2023. In anticipation of this, the Applicant’s environmental assessments included sensitivity analysis of the implications of the permitted cap increasing to 19mppa. As a result, the Applicant believes that the environmental assessments are sufficiently representative of the likely significant effects of expansion, whether the baseline is 18 mppa or 19 mppa. Where the change of the baseline does affect an assessment topic, in most cases it means that the “core” assessments (using an 18 mppa baseline) report a marginally greater change than would be the case with a 19 mppa baseline. The findings of the assessment, including the sensitivity analysis, are presented in the Environmental Statement submitted with the application for development consent.

- (viii) landscape and ecological improvements, including the replacement of existing open space; and
- (i) further infrastructure enhancements and initiatives to support the target of achieving zero emission ground operations by 2040², with interventions to support carbon neutrality being delivered sooner including facilities for greater public transport usage, improved thermal efficiency, electric vehicle charging, on-site energy generation and storage, new aircraft fuel pipeline connection and storage facilities and sustainable surface and foul water management installations.

² This is a Government target, for which the precise definition will be subject to further consultation following the *Jet Zero Strategy*, and which will require further mitigations beyond those secured under the DCO.

2 ENGAGEMENT WITH WFS

2.1 Summary of engagement

- 2.1.1 The pre-application statutory consultation carried out by the Applicant, and the way in which it has informed the DCO application, is set out in full in the **Consultation Report [AS-048]**.
- 2.1.2 The parties continue to be in direct communication in respect of the Proposed Development.
- 2.1.3 This SoCG between the parties is based on a programme of consultation and ongoing engagement which are summarised in Table 2-1. This sets out the meetings and substantive correspondence that took place and the topics discussed. Matters under discussion are set out in section 3.

Table 2-1: Engagement between the Applicant and WFS

Date	Form of correspondence	Details
13 August 2020	Meeting – MS Teams	Meeting to discuss the potential opportunity of installing and maintaining the fuel farm and fuel supply to Terminal 2 via fuel hydrants.
26 August 2020	Meeting – MS Teams	Meeting to discuss the fuel supply options and benefits going forward.
26 June 2021	Meeting – MS Teams	Meeting to provide an update on the latest DCO progress, discuss the potential for a joint venture for the fuel farm and hydrant supply for Terminal 2, and fuel supply.
8 October 2021	Meeting – MS Teams	Progress discussions and an update on the scheme. Points discussed: joint venture options, SoCGs, sustainable aviation fuels, fuel supply and tanker deliveries.
24 April 2022	Meeting – MS Teams	Points discussed: scheme update, draft population of the SoCG, update on sustainable aviation fuel production, ESG benefits, tanker deliveries and hydrant supply to Terminal 1.
24 May 2022	Meeting – MS Teams	Points discussed: NDA's, sensitivity around the fuel delivery strategy, SoCGs.
16 November 2022	Email	Shared updated draft SoCG for review and comment.
19 December 2022	Email	Confirmation from WFS that they have no further comments on the SoCG at this time.

29 March 2023	Email	Link sent to WFS with PINS link to full suite of application documents and draft SoCG.
16 May 2023	Email	Confirmation from WFS that they agree with the contents of the SoCG.
20 July 2023	Email	Email to WFS explaining requirements of Rule 6 letter
24 July 2023	Email	SoCG sent for final review ahead of issue to PINS
28 July 2023	Email	Confirmation of SoCG completion, ready to be shared.
6 December 2023	Email	Signed SoCG returned by WFS.

3 MATTERS AGREED, ONGOING, OR NOT AGREED

Table 3-1: Summary of matters

SOCG ID	Matter	WFS position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.1 Fuel Supply					
3.1.1	Existing Fuel Delivery	WFS agrees with the Applicant’s position.	The parties agree that there is no change to the fuel delivery strategy for Terminal 1 as part of this DCO.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed
3.1.2	Phase 1 Fuel Delivery	WFS agrees with the Applicant’s position.	The fuel delivery for the expansion of Phase 1 to 21.5mppa will follow the same operation as currently with the fuel delivered to the current fuel storage facilities via Bridges (Tankers). From the existing fuel storage facilities, the fuel will be delivered via Refuellers (Bowsers) to the aircraft as is currently the operation.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed

SOCG ID	Matter	WFS position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.1.3	Phase 2 Fuel Delivery Strategy	WFS agrees with the Applicant's position.	The parties agree with the strategy to supply fuel for the airport needs via a proposed Fuel Storage Facility located to the east of the development. This Fuel Storage Facility will be connected to the Fina Pipeline via a spur connection. The storage capacity at this Fuel Storage Facility will cater for all Annual Air Traffic Movements.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed
3.1.4	Fina Pipeline Delivery	WFS agrees with the Applicant's position.	The exact details of the operation of the pipeline in 2032 cannot be confirmed, therefore a 100% pipeline fuel delivery for Phase 2 cannot be guaranteed. The Applicant has completed a sensitivity test to ensure the sizing of the facilities and environmental effects are considered in the case of not having a 100% pipeline fuel delivery.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed

SOCG ID	Matter	WFS position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.1.5	Sustainable Aviation Fuel	WFS agrees with the Applicant's position.	The parties agree that for Terminal 2 operations segregation of Sustainable Aviation Fuel from Jet A fuel will not be required and will use common infrastructure.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed
3.1.6	Sustainable Aviation Fuel	WFS agrees with the Applicant's position.	The parties agree that Sustainable Aviation Fuel will be blended off site. Therefore, blending facilities will not be required for the proposed Fuel Storage Facility.	Emails between the Applicant and WFS on 1 December 2022 and 16 May 2023	Agreed