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London Luton Airport Expansion

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8.22 Statement of Commonality for Statements of Common Ground

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.22

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.22 STATEMENT OF COMMONALITY FOR STATEMENTS OF
COMMON GROUND**

Deadline:	Deadline 6
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Author:	Luton Rising

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1 INTRODUCTION

1.1 Background

1.1.1 London Luton Airport Limited, trading as Luton Rising (“the Applicant”), has applied to the Secretary of State for Transport for development consent 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”).

1.2 Purpose of this document

1.2.1 Statements of Common Ground (SoCGs) have been prepared by the Applicant and other parties in line with the Rule 6 letter from the Examining Authority (ExA). The SoCGs provide a record of discussions to date with a number of key Interested Parties and a summary of the matters that are either agreed, subject to ongoing discussion, or not agreed. Drafts of the SoCGs have been shared with the relevant Interested Parties and their comments addressed. The Applicant will continue to work with the Interested Parties and review any matters that are still subject to further discussion as the Examination progresses. Prior to the end of Examination, the Applicant intends to submit a final version of each SoCG.

1.2.2 This Statement of Commonality is provided at the request of the ExA to provide an overview of the position between the Applicant and the relevant Interested Parties and a table showing commonality on specific points between the various SoCGs.

1.2.3 This document provides a summary of the status of SoCGs at Deadline 6 (8 December 2023).

1.3 Structure of Statements of Common Ground

1.3.1 To ensure consistency in the approach across all SoCGs and provide clarity to the ExA, each SoCG has been produced in a standard format.

1.3.2 The SoCGs have the following format:

Section 1: provides a background to the document, the parties to the SoCG, and a description of the Proposed Development.

Section 2: provides a summary of the consultation and engagement to date between the parties.

Section 3: sets out the matters that are agreed, not agreed, and subject to ongoing discussion.

- 1.3.3 A change notification request was submitted to the Examining Authority on 22 September 2023 **[REP4-031]** to update the Drainage Design Statement, following ongoing engagement with Thames Water and the Environment Agency. The Examining Authority subsequently confirmed by way of a Rule 9 letter, issued on 13 October 2023, that the changes could be deemed non-material and accordingly could be accepted into the Examination, requesting that an updated Drainage Design Statement be submitted at Deadline 4. The Applicant submitted the updated Drainage Design Statement at Deadline 4 as requested by the Examining Authority (subsequently corrected at Deadline 5 **[REP5-096]**). The Environment Agency is currently reviewing the documents submitted at Deadline 4 and 5, and as such this iteration of the Statement of the Common Ground, does not fully take into account their current position on the proposal.

1.4 List of Statements of Common Ground

- 1.4.1 The Interested Parties with which the Applicant has entered into SoCGs with are listed in the Table 1.1.

Table 1.1: List of SoCGs

Host local authorities
Luton Borough Council
Central Bedfordshire Council
Hertfordshire County Council
North Hertfordshire District Council
Dacorum Borough Council
Neighbouring local authorities
Buckinghamshire Council
Prescribed consultees
Historic England
Natural England
Environment Agency
NATS (En Route) PLC
NATS (Services) Limited
Civil Aviation Authority (CAA)
UK Health Security Agency and Office for Health Improvement and Disparity (UKHSA and OHID)
National Highways
East of England Ambulance Service
Bedfordshire Fire and Rescue Service

Affinity Water
Thames Water
Prax Downstream UK Limited (Prax)
Cadent
Non-statutory consultees on airport site
World Fuel Services (WFS)
Bedfordshire Police

2 STATUS OF STATEMENTS OF COMMON GROUND

2.1 Summary of current position

2.1.1 Table 2.1 provides a summary of the current position of each SoCG at Deadline 6.

2.1.2 This section will be updated at each deadline during the Examination to explain what has changed since the previous iteration of this document.

Table 2.1: Current position of SoCGs

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
Host local authorities				
TR020001/APP/8.13	Luton Borough Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.
TR020001/APP/8.14	Central Bedfordshire Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
TR020001/APP/8.15	Hertfordshire County Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	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 to finalise the document.
TR020001/APP/8.16	North Hertfordshire District Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	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

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
				NHDC ahead of Deadline 9 to finalise the document.
TR020001/APP/8.17	Dacorum Borough Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	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 to finalise the document.
Neighbouring local authorities				
TR020001/APP/8.18	Buckinghamshire Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
Prescribed consultees				
TR020001/APP/8.05	Historic England	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	All matters were agreed at Deadline 2 so an updated SoCG was not submitted at Deadline 3.	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 signed by Historic England and the Applicant.
TR020001/APP/8.32	Natural England	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.
TR020001/APP/8.07	Environment Agency	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.
TR020001/APP/8.21	NATS (En Route) PLC	SoCG submitted at Deadline 2. All SoCG	The Applicant will continue to engage with the Interested Party and intends	All matters are still agreed, some text within the matters has been updated at the

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
		matters agreed with Interested Party.	to submit an updated SoCG at Deadline 6.	request of NATS (En Route) PLC. The SoCG has been submitted at Deadline 6. The Applicant is engaging with the Interested Party to progress the signing of the SoCG for Deadline 9.
TR020001/APP/8.09	NATS (Services) Limited	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	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 for Deadline 9.
TR020001/APP/8.10	CAA	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG 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 for Deadline 9.
TR020001/APP/8.12	UKHSA and OHID	SoCG submitted at Deadline 2. SoCG	The Applicant will continue to engage with the	Updated SoCG submitted at Deadline 6, with

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
		addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	Interested Party and intends to submit an updated SoCG at Deadline 6.	engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.
TR020001/APP/8.11	National Highways	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.
TR020001/APP/8.19	East of England Ambulance Service	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.
TR020001/APP/8.20	Bedfordshire Fire and Rescue Service	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6. All matters have been agreed with the Interested Party. SoCG signed by Bedfordshire Fire

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
				and Rescue Service and the Applicant.
TR020001/APP/8.08	Affinity Water	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.
TR020001/APP/8.06	Thames Water	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.
TR020001/APP/8.03	Prax	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with all matters agreed. Signed by Prax only.	All matters were agreed at Deadline 2.	All matters were agreed at Deadline 2. The SoCG has now been signed by Prax and the Applicant and submitted at Deadline 6.
TR020001/APP/8.04	Cadent	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Engrossments for the side agreement and Protective Provisions have been issued to Cadent for approval and execution. The SoCG will be updated

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)
		ongoing matters. Signed by Cadent only.		once this is complete and then submitted by Deadline 9 at the latest.
Non-statutory consultees on airport site				
TR020001/APP/8.02	WFS	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	All matters were agreed at Deadline 2.	All matters were agreed at Deadline 2. SoCG has now been signed by WFS and the Applicant and submitted at Deadline 6.
TR020001/APP/8.01	Bedfordshire Police	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with all matters agreed. Signed by Bedfordshire Police.	All matters were agreed at Deadline 2.	All matters were agreed and SoCG signed by Bedfordshire Police and the Applicant at Deadline 2. No further updates were required so this has not been submitted again at deadline 6.

3 COMMONALITY

3.1 Summary

3.1.1 Table 3.1 demonstrates where there is commonality in the matters being discussed with the parties within SoCGs.

3.1.2 The table is presented to show topics covered within the various SoCGs and how these are relevant to each party, with the position for each topic presented as follows:

	Matter agreed
	Matter subject to ongoing discussion
	Matter not agreed
	Matter not covered by SoCG

Table 3.1: Table of commonality at Deadline 6 – 8 December 2023

Interested Party	Draft DCO	Protective Provisions / Easements	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects
Luton Borough Council			Green	Yellow		Yellow	Green		Yellow	Green				Yellow	Yellow	Yellow	Green	Green	Green	Yellow		Yellow	Yellow	Yellow	Green	Yellow	Green
Central Bedfordshire Council			Green	Yellow	Yellow	Yellow	Yellow		Yellow	Yellow				Yellow	Green	Yellow	Yellow	Yellow	Yellow	Yellow		Yellow	Green	Yellow	Green	Green	Yellow
Hertfordshire County Council			Green	Yellow	Red	Yellow	Yellow		Yellow	Yellow				Yellow	Green	Red	Yellow	Yellow	Yellow	Yellow		Yellow		Yellow		Green	Green
North Hertfordshire District Council			Green	Yellow	Yellow	Yellow	Yellow		Yellow	Yellow				Yellow	Green	Yellow		Green	Yellow	Yellow		Yellow		Yellow		Green	Yellow
Dacorum Borough Council			Green	Yellow	Red	Yellow	Yellow		Yellow	Yellow				Yellow	Yellow	Yellow		Yellow	Yellow	Yellow		Yellow		Yellow		Green	
Buckinghamshire Council	Yellow								Red	Yellow		Yellow		Yellow		Red		Yellow	Yellow	Yellow		Yellow		Yellow			Yellow
Historic England					Red												Green										

Interested Party	Draft DCO	Protective Provisions / Easements	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects
Natural England														Green	Yellow						Yellow			Green	Green		
Environment Agency											Green												Yellow		Green	Yellow	
NATS (En Route) PLC						Green	Green			Green																	
NATS (Services) Limited						Green	Green																				
CAA							Green		Green	Green						Green						Green					
UKHSA and OHID														Green					Yellow			Yellow	Green				
National Highways						Green		Green						Green		Green	Green		Green	Green		Green		Yellow		Green	Green
Affinity Water	Yellow						Yellow																			Yellow	

Interested Party	Draft DCO	Protective Provisions / Easements	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects
Thames Water																											
East of England Ambulance Service																											
Bedfordshire Fire and Rescue Service																											
Prax																											
Cadent																											
WFS																											
Bedfordshire Police																											