

January 2024

# London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

**8.163 Applicant's Response to Deadline 6 Submissions**

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.163

**The Planning Act 2008**

**The Infrastructure Planning (Examination Procedure) Rules 2010**

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

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**8.163 APPLICANT’S RESPONSE TO DEADLINE 6 SUBMISSIONS**

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<b>Deadline:</b>	Deadline 7
<b>Planning Inspectorate Scheme Reference:</b>	TR020001
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<b>Author:</b>	Luton Rising

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Issue 1	January 2024	Additional Submission – Deadline 7

# 1 INTRODUCTION

## 1.1 Purpose of this document

This document has been prepared by Luton Rising (a trading name of London Luton Airport Limited) ('the Applicant') for submission to the Examining Authority (ExA). It provides the Applicant's response to Deadline 6 submissions by Interested Parties (IPs). To avoid unnecessary repetition of information, the Applicant has only provided responses to new matters raised in submissions, i.e., the Applicant has not responded to matters that it considers have already been addressed in previous submissions.

This document does not include responses to matters that the Applicant considers will be addressed as part of the ongoing development of Statements of Common Ground (SoCG). Responses to such matters will be reflected in updated SoCG documents. Whilst this document includes responses to some submissions made by parties that have an SoCG with the Applicant, these responses are confined to matters that the Applicant considers may benefit from a response before the issue of an updated SoCG at Deadline 9.

Any comments relating to the Draft Development Consent Order (dDCO) are responded to in the **Applicant's Response to Comments on the Draft Development Consent Order at Deadline 6 [TR020001/APP/8.162]**.

In instances where the Applicant considers that no matter has been raised or the point raised has been dealt with previously and the Applicant has not responded to a matter, this should not be read as the Applicant's acceptance of, or agreement with, the matter raised.

A few IPs have not been responded to as the Applicant believes that the issues raised have been addressed in the Applicant's Responses to previous deadline submissions.

## 1.2 Structure of document

Where possible, the Applicant has responded to Deadline 6 submissions in Table 2.1. This includes responses to the following submissions:

- a. Affinity Water [REP6-120]
- b. The Harpenden Society [REP6-130 & REP6-131]
- c. Buckinghamshire Council [REP6-087 & REP6-086]
- d. Carol Redgment [REP6-156]
- e. Stop Luton Airport Expansion [REP6-143 & REP6-144]
- f. Joseph Kelly [REP6-150]
- g. Andrew Mills-Baker [REP6-151]
- h. Janet Ingham [REP6-149]
- i. Alison Mitchell [REP6-152]
- j. John A Smith [REP6-157 & REP6-158]

- k. Cllr Steven Stephens [REP6-161]
- l. UK Health Security Agency [REP6-147]
- m. Holiday Extras Limited [REP6-132]
- n. Michael Reddington [REP6-153, REP6-154 & REP6-155]
- o. St Albans Quieter Skies (STAQS) [REP6-142]
- p. Peter White [REP6-162]
- q. Environment Agency [REP6-110]
- r. Buckinghamshire and Milton Keynes Association of Local Councils [REP6-080]

Where the Applicant considers that submissions require detailed responses, the Applicant has included these responses in Appendices, as follows:

- a. Appendix A: Friends of Wigmore Park [REP6-125, REP6-127, REP6-128 & REP6-129]
- b. Appendix B: National Highways [REP6-115, REP6-116 & REP6-118]
- c. Appendix C: LADACAN [REP6-133, REP6-134, REP6-135, REP6-136 & REP6-139]
- d. Appendix D: Central Bedfordshire Council [REP6-089, REP6-090 & REP6-091]
- e. Appendix E: Luton Borough Council [REP6-103, REP6-104, REP6-106 & REP6-107]
- f. Appendix F: Central Bedfordshire Council, Dacorum Borough Council, Hertfordshire County Council, Luton Borough Council & North Hertfordshire Council [REP6-093 & REP6-094]
- g. Appendix G: Dacorum Borough Council, Hertfordshire County Council & North Hertfordshire Council [REP6-097, REP6-100 & REP6-101]

## 2 APPLICANT'S RESPONSE TO DEADLINE 6 SUBMISSIONS

Table 2.1 Applicant's Response to Deadline 6 Submissions

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
<b>1. Affinity Water [REP6-120]</b>			
1.1	Design Principles	<p>The Applicant's proposed measures to manage water demand, as outlined in the Design Principles are not adequate as they do not address water demand during construction and they are inconsistent with Affinity Water's statutory duties;</p>	<p>The Design Principles do not address construction matters, which are addressed through the <b>Code of Construction Practice (CoCP) [REP6-003]</b>.</p> <p>The approach to water efficiency is outlined in section 17.6 of the CoCP. To address Affinity Water's concerns, the Applicant is continuing to engage with Affinity Water to reach agreement on a form of protective provisions, secured by side agreement, and related updates/modifications to the Requirements in Schedule 2 of the <b>Draft DCO [TR020001/APP/2.01]</b> and related secured documents (including the CoCP).</p>
1.2	Design Principles	<p>The current wording of paragraphs SUS.15 and DDS.03 of the Design Principles is deficient as:</p> <ul style="list-style-type: none"> <li>The paragraphs do not address the implementation of water efficiency measures, or a water demand level during construction. Based on the information provided by the Applicant, the water demand will peak during the construction period. As outlined in Affinity Water's response to the first written questions, the proposed exceedance during construction to the '2019 baseline' is a significant increase; and</li> <li>the paragraphs are subject to what the Applicant considers is reasonably practicable.</li> </ul> <p>The vague drafting in paragraphs SUS.15 and DDS.03 is not acceptable to Affinity Water, especially in light of Affinity Water's statutory duties. Affinity Water presses for the Design Principles to be updated so that water demand during construction is subject to the same water efficiency measures and the 'reasonably practicable' caveat is removed. Affinity Water's response to the first written questions includes proposed drafting for these paragraphs.</p>	<p>The Design Principles do not address construction matters, which are addressed through the <b>Code of Construction Practice (CoCP) [REP6-003]</b>.</p> <p>The approach to water efficiency is outlined in section 17.6 of the CoCP. To address Affinity Water's concerns, the Applicant is continuing to engage with Affinity Water to reach agreement on a form of protective provisions, secured by side agreement, and related updates/modifications to the Requirements in Schedule 2 of the <b>Draft DCO [TR020001/APP/2.01]</b> and related secured documents (including the CoCP).</p>
1.3	Drainage	<p>Affinity Water wishes to draw the Examining Authority's attention to paragraph 20.13.2 of the Water Resources and Flood Risk document. This paragraph states that the methodology for monitoring surface water and groundwater quality will be completed in line with a methodology agreed by the Environment Agency and ThamesWater. It is unclear why Affinity Water has been excluded from the methodology approval process, as there will be a discharge to the underlying aquifer, which could be detrimental to the treatment of potable water. Accordingly, Affinity Water requests that the Water Resources and Flood Risk is updated so that Affinity Water has an approval role in approving the methodology for monitoring surface water and groundwater quality.</p>	<p>Paragraph 20.13.2 of <b>Chapter 20 Water Resources and Flood Risk</b> of the <b>ES [REP4-009]</b> states "<i>The monitoring of surface water and groundwater quality will be completed in line with a methodology agreed by the Environment Agency and Thames Water (during permitting processes) as runoff from the Proposed Development will be discharged to the underlying aquifer and the Thames Water network.</i>" The <b>CoCP [REP6-003]</b>, para. 18.8.2, as updated at Deadline 6, now requires the lead contractor, as part of that permitting process, to consult the Environment Agency and the relevant water and sewerage undertakers (i.e. Affinity Water and TWUL) regarding the water quality, flow and level monitoring to be undertaken for watercourses and groundwater that will be affected by construction works or the discharge of surface water run-off. The Applicant does not agree, however, that Affinity Water should have an approval role – that role is exercised, through the permitting processes, by the EA and TWUL.</p> <p>Paragraph 20.13.3 of <b>Chapter 20 Water Resources and Flood Risk</b> of the <b>ES [REP4-009]</b> refers to agreeing a water use monitoring methodology with Affinity Water. Paragraph 17.6.7 of the <b>CoCP [REP6-003]</b> makes related provision: "As part of the water use profiling exercise, the</p>

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			lead contractor will liaise with Affinity Water Ltd. The volumes of water used will be agreed with Affinity Water Ltd and monitored."

**2. The Harpenden Society [REP6-131]**

2.1	Funding	<p>With respect to compulsory purchase costs LR believes it has the resources to underwrite the compulsory purchase costs (for both Phases) and claims this is demonstrated by the annual concession income of £52.9 million in 2022/23</p> <ul style="list-style-type: none"> <li>• LR fail to mention that most, if not all of that concession income, is then spent, as we outlined previously on loan interest, charitable donations, property and staff costs and other operating expenses. The “free” cash flow is extremely limited – as little as £3 million after tax for the next 10 years based on LR’s assertion that concession fees in 2023/24 will be £60 million</li> <li>• We believe the free cash flow will be even more limited as Luton Borough Council currently has a significant unfunded budget deficit for 2023/24 and future budget shortfalls are forecast too and LR also has £17 million of loans maturing on 28th March 2028</li> <li>• Future concession fees are unlikely to be available to fund compulsory purchase costs</li> </ul>	<p>This question is similar to the points raised by Karl Wingfield (Transport Committee Member for the Harpenden Society) in the <b>Applicant’s Post Hearing Submission – Open Floor Hearing 3 (OFH3) [REP6-069]</b>, which have been addressed in the response provided in Table 1.1 at reference 2.a. In response to the three bullet points raised:</p> <p>a) The Harpenden Society’s statement that the “free” cash flow is extremely limited. The Applicant has made a provision for £10m for compulsory acquisition costs related to Phase 1 in its 2023/24 accounts.</p> <p>Free cash flow is defined as concession fee income, DART income and the Applicant’s property income less the Applicant’s operating costs, DART operating costs, charitable donations, debenture interest to Luton Borough Council and tax.</p> <p>To give an indication of the financial strength of the Applicant, after the provision of £10m in 2023/24 for future land compensation costs, the Applicant projects it will have Free Cash Flow over the next 5 years (2023/24 – 2027/28) of more than £100m. This is based on healthy ongoing contributions from DART and the Applicant’s property portfolio plus anticipated passenger numbers and freight forecasts. This demonstrates access to more than sufficient monies to cover the Phase 2 land compensation that is paid over 14 years from 2033 – 2046 (see Table 2 of the <b>Funding Statement [REP5-009]</b> copied below).</p> <p><b>Table 2: Land acquisition cost (£m 2022/23 constant and forecast outturn)</b></p> <table border="1" data-bbox="1567 1325 2686 1629"> <thead> <tr> <th rowspan="2">Total</th> <th colspan="8">Phase 1</th> <th colspan="8">First years of Phase 2</th> </tr> <tr> <th>2025</th> <th>2026</th> <th>2027</th> <th>2028</th> <th>2029</th> <th>2030</th> <th>2031</th> <th>2032</th> <th>2033</th> <th>2034</th> <th>2035</th> <th>2036</th> <th>2037</th> <th>2038</th> <th>2039</th> <th>2040</th> <th>2041</th> <th>2042</th> <th>2043</th> <th>2044</th> <th>2045</th> <th>2046</th> </tr> </thead> <tbody> <tr> <td colspan="23"><b>Constant 2022/23 prices (£m)</b></td> </tr> <tr> <td>Land</td> <td>108</td> <td>1</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>2</td> <td>3</td> <td>3</td> <td>23</td> <td>19</td> <td>18</td> <td>10</td> <td>3</td> <td>2</td> <td>1</td> <td>4</td> <td>5</td> <td>4</td> <td>4</td> <td>2</td> <td>2</td> <td>1</td> </tr> <tr> <td colspan="23"><b>Forecast outturn prices (£m)</b></td> </tr> <tr> <td>Land</td> <td>171</td> <td>1</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>3</td> <td>4</td> <td>4</td> <td>34</td> <td>28</td> <td>27</td> <td>16</td> <td>5</td> <td>3</td> <td>2</td> <td>7</td> <td>9</td> <td>7</td> <td>9</td> <td>4</td> <td>4</td> <td>3</td> </tr> </tbody> </table> <p>b) Regarding the Harpenden Society’s assertion that Luton Borough Council’s budgetary position affects the Applicant’s actions, Luton Borough Council’s financial position has no direct bearing on that of the Applicant, which is a separate legal entity. The Applicant is a private limited company with a sole shareholder, Luton Borough Council. There is a dividend policy in place and the Applicant will make dividend recommendations to the shareholder accordingly. The Board of Directors will continue to conduct the affairs of the company in accordance with company law and make dividend recommendations based</p>	Total	Phase 1								First years of Phase 2								2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	<b>Constant 2022/23 prices (£m)</b>																							Land	108	1	0	1	0	0	2	3	3	23	19	18	10	3	2	1	4	5	4	4	2	2	1	<b>Forecast outturn prices (£m)</b>																							Land	171	1	0	1	0	0	3	4	4	34	28	27	16	5	3	2	7	9	7	9	4	4	3
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			<p>on financial performance and the availability of surplus funds after meeting operational requirements, including compulsory acquisition costs.</p> <p>c) The assertion that “<i>Future concession fees are unlikely to be available to fund compulsory purchase costs</i>”. As noted in (a) above, even over the years 2023/24 to 2027/28 free cash flow in excess of £100m is projected.</p> <p>By 2033 concession fees alone are projected to be well in excess of £100m per annum. Thus, over the 14 years 2033 to 2046 the total compulsory acquisition costs represent a small proportion of the funds available to the Applicant, especially as whilst most income rises by inflation, many of the costs (especially debenture interest) are fixed.</p> <p>All these points show there will be sufficient monies for land acquisition, so in conclusion, as stated in the Applicant’s response provided in Table 1.1 at reference 2.a in the <b>Applicant’s Post Hearing Submission – Open Floor Hearing 3 (OFH3) [REP6-069]</b> the Applicant refutes the points made.</p>
2.3	Noise and Vibration	<p>Gatwick’s DCO includes noise limits that will REDUCE over the period of the development compared to 2019’s levels. If Gatwick with a predominantly short haul network (with similar airlines dominating) can achieve noise reductions, there is no reason why LR can’t</p> <p>It’s proposed that the night movement cap excludes dispensed flights. We do not believe that any allowance should be given for flights that are delayed due to operational difficulties lowcost airlines have flying multiple rotations each day – they need to manage their operations better. The Q1 and Q2 monitoring reports show large numbers of flights being dispensed for this reason. Any allowance should reflect real need only and anything else should be at the discretion of the ESG</p>	<p>As noted in response to the Harpenden Society in the <b>Applicant’s Post Hearing Submission – Open Floor Hearing 3 (OFH3) [REP6-069]</b>, Table 1.1 reference 2.d, the Applicant’s DCO noise limits do reduce.</p> <p>The statement about Gatwick’s DCO noise limits is not correct. The initial daytime limits increase compared to their 2019 baseline for the first nine years or after commercial movements reach 382,000 (Ref 1). After 14 years the limits will be reviewed and “The results of the review may identify that the noise envelope contour area needs to remain at the current position as at the time of the review, to reduce, or to increase.” (Ref 2).</p> <p>The <b>Air Noise Management Plan [TR020001/APP/8.125]</b> has been updated to clarify that the dispensations are based on guidance issued by the DfT (Ref 3) with regards to appropriate dispensation for noise controls.</p>
<p><b>3. Buckinghamshire Council (Post-Hearing Submissions Including Written Submissions of Oral Cases) [REP6-087]</b></p>			
3.1	Surface Access	<p>BC’ Transport and Highways officers are not satisfied that the transport model has been properly validated for use in relation to the Council’s area and, as a result, BC is not content that the model is suitable for application to the Buckinghamshire (“Bucks”) network. This is not just a traffic and transport issue but has consequences for the downstream analysis of impacts derived from traffic modelling such as noise, air quality and health. 3. BC requests that the Applicant validates the traffic modelling for the Bucks network, in accordance with the requirements of the Council’s Transport and Highways officers. BC has taken active steps to assist the Applicant in this regard. It has conducted its own survey to allow the Applicant to validate the model for Bucks. The survey comprises an automated traffic count (“ATC”) on the B489 in two locations and was carried out between 7 October 2023 and 13 October 2023 (this period is not in the school holidays and represents normal network conditions).</p>	<p>The Applicant notes BC’s concerns and the interrelationship between traffic forecasts and its application on the Environmental assessment. However, the Applicant remains of the view that the strategic model is suitable and “fit for purpose” to assess the relative change in traffic of the Proposed Development on Buckinghamshire’s road network.</p> <p>Information on the model suitability was reported in the B489 Traffic note <b>Applicant’s Response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087]</b>. BC requests the Applicant ‘validates the traffic modelling for Bucks network’ using 2023 data for two locations. The existing strategic base model is calibrated and validated for 2016. The data offered by BC is for 2023. As the Applicant has not modelled 2023 in any of its assessments, 2023 actual data is not helpful for comparison purposes.</p> <p>Following meetings with BC, and Issue Specific Hearing 7, the Applicant has produced a further note: <b>Applicant’s Response to Issue Specific Hearing 7 Action 3 -Ivinghoe Junction Modelling Review [REP6-070]</b>. The note explains why the strategic model is considered to be a</p>

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			<p>suitable tool to assess the relative change in traffic of the Proposed Development on Buckinghamshire's road network, and specifically, on the modelling of the relevant change on the B489 at the junction with the B488. It also provides further details on the validation of the screenline.</p>
3.2	Surface Access	<p>At the hearing, the Applicant suggested that there had been a validation exercise in relation to a screen line south from Leighton Buzzard and that this was a good proxy for Bucks. BC is not satisfied that this suitably addresses its concerns.</p> <p>Bucks falls outside of the area that has been informed through survey data (but within the area informed by mobile phone data). As a result, the modelling is not as detailed in Bucks as it is in relation to the Luton and Central Bedfordshire areas. Strategic models become less accurate as one moves away from the central area which is fully modelled. The Dunstable – Leighton Buzzard screenline sits significantly to the east of the area of concern to BC. BC is not content that it can be confident of the accuracy of the model in relation to the B489 corridor and the Dunstable - Leighton Buzzard screenline does not provide validation in relation to this area of concern.</p> <p>BC is not requesting significant work from the Applicant in this area: the validation being requested is a comparison exercise between the modelled flows on the B489 in the base year against the actual flows obtained through the BC's ATC surveys which have been made available to the Applicant.</p>	<p>The Applicant mentioned that the Dunstable Leighton Buzzard Screenline contains several links that accommodate traffic travelling east-west to and from the Buckinghamshire area.</p> <p>The fact that the screenline performed well in accordance with the DfT TAG guidance on model calibration/validation, gives the confidence that the model is an appropriate tool to assess the relative change in traffic of the Proposed Development on Buckinghamshire's road network, and in particular, along the B489 corridor. More detailed information in relation to the validation of the individual roads across the screenline is reported in the <b>Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 -Ivinghoe Junction Modelling Review [REP6-070]</b>.</p> <p>As mentioned in the above response at ID 3.1, the Applicant considers it is not appropriate to compare 2023 data with a 2016 base year model.</p>
3.3	Surface Access	<p><b>Trip Distribution Plans</b></p> <p>BC's concerns in relation to the Applicant's trip distribution plans remain despite the update to the documents [REP5-037]. The short point is that the updated plans do not provide the necessary underlying data. The trip distribution plans do not present the information required in a suitable format. There are no numbers attributed to the plans, and they only show average daily flows. Peak hour and early morning flows (reflecting travel along the Bucks network from up to two and a half hours prior for passengers to meet the development peak flights) are also required.</p> <p>During a meeting between the Applicant and BC on 15 November 2023, it was stated that the early morning flows had not been modelled despite being the airports peak hours of traffic generation and limited information would be available. However, that appeared to be contradicted in the hearing when it was said that the data was being produced. BC hopes it was modelled and the data will be produced.</p> <p>BC is also concerned that during the hearing the Applicant indicated that the trip distribution plans were not representing assignment of traffic on the network and therefore the traffic shown to be routing on the B489 was only a demonstration of desire lines. This is an incorrect characterisation of the Strategic modelling outputs, strategic modelling provides assignment</p>	<p>The Applicant notes that the <b>Trip Distribution Plans [REP5-037]</b> were requested by the ExA and show only the airport daily traffic and not peak hours. The purpose of the Trip Distribution Plans is to illustrate the geographical distribution of the airport trips, rather than to assess the peak hour impacts of the Proposed Development.</p> <p>The airport impact, by peak hour, was reported in Strategic Modelling Forecasting Report <b>Transport Assessment Appendices – Part 2 of 3, Appendix F Strategic Modelling Forecasting Report [APP-201]</b>, where flow differences are reported in Figure 5.3 and Figure 5.4, along with other information regarding 'Nodes Delays' and 'Link Based volume to capacity ratios' included in the report appendices. Further information is also included in relation to the Rule 9 modelling update which is reported in the <b>Applicant's Response to Issue Specific Hearing 7 Action 2 - Accounting for Covid-19 in Transport Modelling Final Report [AS-159]</b>.</p> <p>The Applicant wishes to clarify that the strategic model was created for the combined network peak, which covers AM (08:00-09:00), Inter Peak (average hour between 10:00-16:00) and PM peak (17:00-1800), as was reported in <b>Transport Assessment Appendices – Part 1 of 3 Appendix E1 Highway LMVR Report [APP-201]</b> and <b>Transport Assessment Appendices – Part 2 of 3, Appendix F Strategic Modelling Forecasting Report [APP-201]</b>. However, during the meeting on 15 November 2023, the Applicant agreed to produce the airport daily traffic profiled over 24 hours, and this has been now reported in the <b>Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]</b>.</p>



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		<p>information, and so it is clear that the B489 is being shown to be the route to which development traffic will be assigned without mitigation.</p>	<p>The Applicant would also like to clarify that what was meant during the hearing is that the Trip Distribution Plans show airport traffic only, and not background traffic. The Applicant agrees that this contains elements of traffic assignment as these were produced from the forecast strategic model runs. The Applicant agrees that forecast trips generated by the airport would be travelling along the B489, however it does not agree that the impact is 'severe', as was reported in <b>Applicant's Response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087]</b>, and <b>Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]</b>.</p>
3.4	Surface Access	<p>Ivinghoe junction</p> <p>The Trip Distribution Plans [REP5-037] show that the west east corridor is an important route from the west to the airport. The routes through the villages are not well suited for such usage, which vehicles passing through locations that will be sensitive to relatively small changes in traffic flow, with small increases in vehicle throughout leading to material safety concerns where elements of the route are inherently unsafe.</p> <p>The Trip Distribution Plans [REP5-037] demonstrate that with the expansion of the airport, greater numbers of air passengers shall use this route. This is evidenced by the 3 thickening of the difference plot line but, as stated above, the numerical data has not been supplied to quantify this impact.</p> <p>As noted by the ExA during the hearing, the model routes the traffic through the Bucks villages (Pitstone, Marsworth and Ivinghoe). That modelled prediction, despite the lack of suitability of that route in highways safety and environmental terms, justifies the relatively minor works BC proposes to the Ivinghoe junction in order to re-route traffic down the more suitable B488. Such changes to the priority junction at the B489 and B488 Ivinghoe would reduce traffic using unsuitable routes, protecting pedestrian and driver safety within the villages and making the main route away from the villages improves air quality within the villages. BC maintains until demonstrated otherwise that the junction priority works at the B488/ B489 junction should be included within the required works for the scheme and not left to the Council to fund at a later date, either through the TRIMMA process or independently.</p> <p>The above matters result in the BC concerns regarding the lack of confidence in the application of strategic traffic modelling to the Bucks highway network and its consequential implications for the robustness of conclusions drawn from downstream analysis that informs, for example, the health and community assessment.</p>	<p>As mentioned in the response provided at ID 3.3 above, the Applicant acknowledges that some forecast airport trips would be travelling along the B489. However, the Applicant's view is that the forecast increase in traffic is not considered 'severe'.</p> <p>Detailed information on the forecast numerical change in traffic along the B489 is included in <b>Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]</b>. Further numerical information is also included in relation to the Rule 9 modelling update which is reported in the <b>Applicant's Response to Issue Specific Hearing 7 Action 2 - Accounting for Covid-19 in Transport Modelling Final Report [AS-159]</b>.</p> <p>Moreover, the Applicant discussed in the <b>Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]</b> the pre-existing issues along the B489 and its junction with the B488. The Applicant has not yet seen evidence to support the issues referred to, and whether they are related to capacity, safety, or health (related to early hour traffic), and more importantly how a relatively small increase can lead to material concerns. The Applicant also notes that the proposal to re-prioritise the B489/B488 junction could potentially divert traffic onto the B488 and Tring, within the Hertfordshire road network without consultation with that highway authority that the Applicant is aware of.</p>
3.5	Surface Access	<p>Sustainable Transport</p> <p>BC's position remains as set out at [REP3-083, §§39-44]. As previously pointed out, Goal 3 of the Employment and Training Strategy [APP-215] sets out to reduce barriers to commuting to the airport and seeks to ensure access as large a pool of potential workers as possible.</p>	<p>Any potential intervention for sustainable transport funding should be submitted to the ATF and ATF SG following notice to grow.</p> <p>The Applicant welcomes suggestions on the most effective use of the fund from BC, and also recognises that there are challenges around long term commercial viability. This should be understood through regular meetings with bus operators and ongoing review of usage data. Regular engagement with bus operators will take place through the preparation of the five-yearly</p>

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		<p>Local bus services provide connectivity for employees and local residents to the airport and route 61 is important in the context of Bucks, in particular, due to the areas of deprivation within the Aylesbury area. In order for the Applicant to achieve the stated goal of accessing as large a pool of people as possible, within Bucks a public transport connection is essential.</p> <p>The Applicant has now proposed that Route 61 be restored but only as a three hourly service. This is insufficient to (a) provide a realistic means of transport to the airport for staff and (b) to become commercially viable over time (and thereby risk its withdrawal after initial support). BC considers a minimum service of once an hour to be required as stated in BC's Written Representation [REP1-042]. This would return the connection to the previous level prior to the introduction of the Luton to Dunstable bus way.</p> <p>BC also seeks a high speed adapted bus or coach service from Aylesbury to the airport that would help to remove longer distance journeys and provide an alternative to the private car from Aylesbury. Without such connections then residents of Aylesbury (c.120,000) will have little choice but to travel by car which will, at the very least, not further the objectives of the Framework Travel Plan and undermine the claimed benefit of the modal shift/ sustainable surface access pleaded by the Applicant.</p> <p>BC notes that this has not been assessed in the Bus and Coach Study [REP5-058, Figure 3.2] at all. This is a material omission where the Trip Distribution Plans [REP5-037] demonstrate the use of the west – east corridor to and from the airport, which BC understood from ISH4 that the Applicant accepts the importance of.</p>	<p>Bus and Coach Market Studies, as described in section 5.1.8 of the <b>Bus and Coach Study [TR020001/APP/8.122]</b> and the attendance of operators at ATFs.</p>
3.6	Surface Access	<p>The sustainable transport fund ("STF")</p> <p>The Applicant referred to the necessity of "pump priming" bus and coach services during the hearing. BC accept this need and this is precisely the point that BC has made regarding the STF: critically, the STF does not allow for pump priming (see [REP3-083, §52] in relation to the identified funding lag). BC remains concerned that the Sustainable Transport Fund lacks the ability to forward fund mitigation, as the funding lag has not been addressed through [REP5-056].</p> <p>BC is also concerned that the Applicant has put forward two scenarios which lead to significantly different maximum fund values, and it is not certain that either of these will provide sufficient value to deliver the schemes that are required. It appears that the value has been set based on a series of income projections rather than identification of the needs and then seeking to match the funding to the needs.</p> <p>It was suggested that the Green Controlled Growth Framework was the mitigation and anything funded by the STF was additional and not required to mitigate. That does not reflect the Applicant's approach on the papers. The STF is expressly to deliver the Framework Travel Plan ("FTP"). The</p>	<p>A commitment has been added to the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> to address the need for pump priming in the STF. It states that the Applicant covenants that, provided the first Travel Plan (as defined in the DCO) demonstrates a need for early funding in excess of the initial revenues of the STF, it will make available up to £1,000,000 of pump priming funding no later than the first meeting of the ATF Steering Group, provided that the Applicant may recoup an amount equal to the pump priming contribution from the STF at a timescale that will be agreed between the Applicant and the airport operator..</p> <p>Given the length of the expansion programme, it is not realistic to place costs and values against various interventions, which could lead to misunderstandings around what the fund could achieve in the future and could be perceived as limits on how much can be spent on any given intervention, which is within the decision of the ATF Steering Group. It is of note that no other comparable UK airports have taken such a granular approach as part of their expansion plans.</p> <p>For bus interventions, any subsidy would need to be calculated based on a number of factors that affect each individual service including route length and frequency, which will change over time. The Applicant is not setting any values at this stage. However, the increase in the value of the fund and introduction of the opportunity to pump prime interventions has been subsequently added to increase stakeholder confidence in the fund and its ability to achieve the ambitious targets to be set out in future Travel Plans. The updated <b>Sustainable Transport Fund[TR020001/APP/8.119]</b> and <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b></p>

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		<p>FTP is a part of the Surface Access Strategy [APP228, Figure 1.1]. The Surface Access Strategy is a fundamental part of the Green Controlled Growth Framework. As such BC does not accept, the Applicant's response. There is a genuine lack of clarity as to what comprises mitigation and what is funding the mitigation.</p> <p>The funding model needs to be tested against anticipated costs of potential interventions to demonstrate that it is able to achieve any of its objectives in a given year.</p>	<p>provide more information on the revised value and pump priming of the Sustainable Transport Fund.</p> <p>Clarity on what comprises mitigation and funding is contained in section 7.5 in the <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH 9) [REP6-067]</b>.</p>
3.7	Surface Access	<p>TRIMMA</p> <p>BC's concerns in relation to the TRIMMA were summarised in the last post-hearing submissions [REP3-083, §§45-47]. Additionally, BC is concerned that the TRIMMA places the burden of responsibility and cost on local highway authorities to identify and show impacts are caused by the airport in order to bring them before the ATF in order to be considered (see [REP5-042, §2.1.4(b)]). This imposes the burden on the local highway authorities whereas it should properly fall on the operator causing the impacts.</p> <p>Further, any such mitigation will be funded by the "Residential Impacts Fund". The size of this fund is not known. The mitigation to which it will be directed is not known. The cost of that mitigation is not known. The adequacy of the pot, therefore, cannot be assessed.</p> <p>Furthermore, [REP5-051] sets out a number of example principles for the governance of the TRIMMA, these include a maximum allocation per year and a maximum allocation per authority. It has not been demonstrated how this would be compatible with the STF objectives.</p> <p>During a meeting between the Council and the Applicant on 6th December 2023 to discuss the SoCG and the TRIMMA. It was stated that the residual impact fund (RIF) set out within the TRIMMA is only intended to be used for the implementation of highway schemes, and shall not cover other schemes that do not relate to physical works. It was suggested that these should be covered by the STF only. This only increases the concerns BC has in relation to STF funding as set out above.</p> <p>BC officers also raised again the concerns regarding the requirement currently presented for the Local Authorities to fund the evidence gathering to present to the ATF, and set out that it is recognised that applicant would rightly want to be protected from funding studies that do not relate to airport impacts. It was suggested by BC that the concern could be addressed by amending the TRIMMA so that expenses incurred in evidencing schemes to be funded by the RIF would be reimbursed, if found to meet the requirements of the TRIMMA mitigation type 2. If this is accepted BC would be satisfied that this would provide a suitable balance between protecting the applicant and ensuring that the taxpayer is not funding a developer's mitigation</p>	<p>Please see the revised <b>OTRIMMA [TR02001/APP/8.97]</b> submitted at Deadline 7 regarding burden of responsibility and costs.</p> <p>The size of the fund is established in the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b>. The mitigation which the RIF (which will exist to address unforeseen impacts of the proposed development) will fund cannot be known before an impact is demonstrated by members of the ATF Steering Group; therefore the cost of such mitigation cannot be known until after this time.</p> <p>The TRIMMA process is designed to address mitigation for identified and yet-to-be-identified transport impacts (the latter being funded by the RIF), whereas the STF is aimed at funding additional improvements to sustainable transport options.</p>

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3.8	Health and Community  Traffic and Transport	<p>Dependency of health assessment on traffic data: BC reiterated that the assessment of health impacts is reliant upon properly validated transport data, including properly articulated traffic numbers on the trip distribution plans [REP5- 037] (which was discussed at ISH7). This should include consideration of the very early morning traffic flows through the Bucks villages that are considered likely to be directly affected (Pitstone, Marsworth and Ivinghoe). Movements through these villages are anticipated to start at c.04.30 hours to meet the morning development peak of 07:00-09:00 hours.</p> <p>Limitations of the assessment: Chapter 13 of the ES – Health and Community provides the principal source of health assessment information [AS-078]. Paragraph 13.1.2 states the purpose of the assessment to include “the assessment of effect on people living close to, or affected by, the Proposed Development”. BC considers its population to be in the ‘affected by’ category. Paragraph 13.1.3 sets out the health determinants, of which four are of key interest to BC (a. iv housing, a. vi Neighbourhood quality, a. viii Perception and uncertainty and b. i Residential properties). Paragraph 13.3.17 sets out health aspects, of which five are of key interest to BC (e. effects on health and wellbeing associated with employment, income and training including the impacts of: f. displacement of businesses; g. opportunities for construction employment, training and apprenticeships; h. changes to the local economy arising from the construction supply chain and expenditure by the temporary workforce; i. increased opportunities for employment within the expanded airport; n. changes to the character and quality of neighbourhood, due to combined environmental impacts (noise, air quality, traffic, light and visual effects); and o. public concern, perceptions and uncertainty about the effects of the Proposed Development). Paragraph 13.3.5(c) states that ‘effects will occur across the wider study area’. The wider study area includes BC (defined at 13.3.4/5). There is, therefore, an expectation that the assessment will report on all of these ‘scoped in’ items within the assessment. However, this is not the case and no justification is given for why aspects are not reported on. In this regard, the analysis does not do what it states it is required to do and these omissions affect the assessment of health impacts in Bucks</p>	<p>As described in the responses provided at ID 3.1-3.4 of this document, the Applicant considers that the strategic model is suitable and fit for purpose to assess the relative change impact on Buckinghamshire’s Road network. Based on the findings of the strategic model, no traffic-related impacts on health determinants have been identified in the Buckinghamshire area and therefore no assessment of health effects is required.</p> <p>The health effects arising from the determinants listed in paragraphs 13.1.3 and 13.3.17, referenced by BC, have been assessed and significant health effects are reported in Section 13.9 of <b>Chapter 13</b> of the <b>ES [AS-078]</b>. A full list of the health effects assessed, including non-significant effects, is provided in <b>Table 13.20</b>. The assessment includes effects on the wider study area, which includes Buckinghamshire. It should be noted that, for health determinants such as employment, housing, perception and uncertainty, the effects are distributed widely and cannot be linked to specific locations. Therefore, specific locations in Buckinghamshire are not mentioned in the assessment. Information provided on the health determinants mentioned by BC is as follows:</p> <p>Housing – an assessment of effects on the housing market in Luton and the Three Counties is summarised in Table 13.20, page102. Health effect assessed as minor adverse (not significant). Neighbourhood quality – no neighbourhood quality impacts were identified as no communities were predicted to be affected by two or more adverse environmental effects (noise, air quality, landscape, visual and light, traffic and transport impacts). Therefore, no assessment is reported in the ES.</p> <p>Perception and uncertainty – an assessment of perception and uncertainty effects across the local and wider study area (which includes Buckinghamshire) is provided in paragraphs 13.9.3 to 13.9.7 and 13.11.2, and in Table 13.20 (page 94). A moderate adverse effect is identified.</p> <p>Residential properties – the Community assessment did not identify any direct or indirect effects on residential properties. Therefore, no assessment is reported in the ES.</p> <p>Employment and income and training – health effects associated with effects on employment, income and training during construction and operation of the Proposed Development, across the local and wider study area (which included Buckinghamshire) are assessed in paragraphs 13.9.8 to 13.9.15, 13.8.35 to 13.9.40, 13.11.3, 13.11.9 and Table 13.20 (pages 98 and 109). Moderate beneficial effects are identified during construction and operation.</p> <p>Displacement of businesses – an assessment of displacement of businesses is provided in Table 13.20 (page 100). A minor (not significant) adverse effect was identified in the Luton area. No displacement of businesses will occur in the wider study area (including Buckinghamshire) and therefore no assessment is reported for this area.</p> <p>Changes to the local economy arising from the construction supply chain and expenditure by the temporary workforce – The employment and income assessment is based on the findings of <b>Chapter 11</b> of the <b>ES [APP-037]</b> which includes indirect (supply chain) and induced (employee expenditure) effects.</p>

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3.9	Health and Community	<p>Table 13.4 of Chapter 13 of the ES [AS-078] states that the 2022 IEMA guidance (reference docs 13.27 and 13.28 of 7 [AS-078]) has "informed the methodology." BC appreciates that this guidance post-dated the Scoping Opinion (2019). However, many projects have been put in the position of responding to this new guidance part way through an application/assessment. The 2022 IEMA guidance represents a shift in the way health assessment in EIA is to be conducted. It is not clear to BC how the IEMA guidance has been accommodated within the assessment undertaken by the Applicant. Parts of Chapter 13 do not accord with the statement in Table 13.4 that the IEMA guidance has informed the methodology.</p> <p>At paragraph 13.5.3, it is said that the health methodology is based on Health Urban Development Unit (HUDU), Wales Health Impact Assessment Support Unit (WHIASU) and International Association for Impact Assessment (IAIA). There is no mention of IEMA.</p> <p>Paragraph 13.5.6 indicates that in order for any assessment of neighbourhood quality to be undertaken, two or more significant residual effects must be experienced by a receptor. Paragraph 13.6.3 (d) goes further to state that the assessment is based on the findings of the other topic assessment. BC suggests that as currently drafted, the threshold for consideration of in-combination effects is therefore set too high and misses important effects. The health assessment should look at the nature of impacts and assess on a qualitative basis, rather than rely on screening through combinations of significant effects. As an example, the point raised by Mr Cutforth in ISH8 regarding the health effects derived from impacts on open spaces and woodland (and indeed the reference by another attendee at ISH8 to community anxiety/opposition) would be scoped in under the IEMA approach, but is not captured by the Applicant's methodology. The approach followed by the Applicant does not accord with the multi-layered approach relying on professional judgement to answer a series of questions for each set of impacts that is advocated in the IEMA guidance. Nor does it reflect UK HSA's position as set out in its relevant representation, that adverse health effects occur below the thresholds within topic specific assessments (e.g. noise and air quality) and need to be assessed accordingly.</p>	<p>The 2022 IEMA guidance was developed by the IEMA Health Working Group, which included the authors of <b>Chapter 13</b> of the <b>ES [AS-078]</b>. As such it does not represent a shift in the way health assessment in EIA is conducted but represents a best practice approach drawing on the combined experience of the practitioners involved in its development.</p> <p>This is evident in the health assessment methodology set out at the scoping stage, prior to the development of the IEMA guidance, which is based on an assessment of the magnitude of effects on health determinants and the sensitivity of the receptor population. In the absence of guidance at the time, bespoke magnitude and sensitivity criteria were developed. These bespoke criteria were more loosely worded than the those in the IEMA guidance and were therefore able to accommodate the IEMA criteria. It was therefore not considered necessary to update the methodology.</p> <p>The following statement has been added to paragraph 13.5.6 in the updated <b>Chapter 13</b> of the <b>ES [AS-078]</b> (paragraph 13.5.3): <i>'The assessment methodology is consistent with the approach set out in the IEMA Guide to Determining Significance for Human Health in Environmental Impact Assessment, which was published in 2022.'</i></p> <p>The criteria and thresholds used in the assessments of effects on human receptors undertaken by other topics (Noise and Vibration, Air Quality and Landscape and Visual, including tranquillity) are based on, among other things, health and wellbeing outcomes. The landscape assessment within <b>Chapter 14</b> of the <b>ES [AS-079]</b> defines tranquillity as <i>'a state of calm and quietude associated with peace'</i> and considers tranquillity effects on landscape receptors, which include features such as public rights of way and woodland. These receptors are assessed as experiencing moderate adverse, likely significant effects due to residual impacts on perceptual characteristics (notably tranquillity) resulting from the increase in aircraft movements. Reference is made to the tranquillity assessment in <b>Table 13.2</b> of <b>Chapter 13</b> of the <b>ES [AS-078]</b>.</p> <p>The 2022 IEMA guidance provides guidance to practitioners on how the health assessment can be informed by other topics and does not prescribe that health significance should or should not align with other topics' assessments of significance. See paragraphs 6.8 and 6.14 of the guidance (reproduced below).</p> <p><i>6.8 Magnitude can be informed by a full understanding of the project and the findings of other EIA Report chapters, including their zones of influence and expected degrees of change. It can also be informed by professional judgements based on the project description and other evidence sources or supporting assessments.</i></p> <p><i>6.14 The conclusions on significance reached for public health may differ from the conclusions reached for outcomes discussed in other EIA technical chapters</i></p> <p>The <b>Scoping Report [APP-166]</b> (paragraphs 15.5.2-3) states that 'The health and community assessment will draw information from other topic assessments in order to identify impacts on health determinants ... The health and community assessment will be based on the residual effects identified by these topics'.</p>

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			<p>BC has suggested that <i>'the health assessment should look at the nature of impacts and assess on a qualitative basis'</i>. The Applicant reiterates that, while the assessment of health effects is undertaken on a largely qualitative basis (with the exception of the quantitative assessments of health outcomes of noise and air emissions), the assessment of impacts on health determinants is based on substantively objective, quantitative information provided by other topics.</p> <p>With regard to health effects below the thresholds within other topic specific assessments, the quantitative assessments of health outcomes from operational noise and air emissions cover the whole population exposed to changes in air quality and noise levels (LOAEL contour), which are entirely below the thresholds for significant air quality effects and almost entirely below the thresholds for significant noise effects.</p>
3.10	Health and Community	<p>Errata report [REP5-036]: This document proposes a change to Table 13.6 that is, in BC's view, not suitable to be presented as an errata. It proposes the deletion of the first row beneath the 'wider area' category, indicating that neither the health nor community assessment would consider areas within which there are likely to be environmental impacts (e.g. noise and visual impacts of the airport, construction and surface access traffic routes). This effectively scopes out any consideration of these matters. BC is concerned that there is insufficient justification for the Applicant to make such a blanket assumption that surface access traffic and noise impacts from the airport will "not be relevant for the wider study area." This is not an errata, it is a change in the scope of the assessment presented as something else.</p>	<p>The study area is divided into a 'local' and 'wider' study area to reflect the differences in impacts on health determinants in areas local to and more distant from the airport. The definition of these study areas, and the health determinants scoped in for each area, was based on a judgement of the likely geographic extent of impacts on health determinants.</p> <p>The wider study area is approximately 1km from the airport boundary at its closest point and extends over a wide area including Luton, Hertfordshire, Central Bedfordshire and Buckinghamshire. The effects of aircraft noise in the wider study area were scoped in to the health assessment. Other direct environmental impacts from the construction and operation of the airport were considered likely to occur in the local study area and not likely to occur in the wider study area.</p> <p>Indirect environmental impacts from traffic movements on the wider road network were not known when the local and wider study areas were defined, as transport modelling was not completed at this stage and the location of potential effects could not be predicted. The effects scoped in to the local and wider study areas remained under review throughout the assessment, so that effects on health determinants identified by other topics could be considered as required.</p> <p>Potential indirect environmental effects in the wider study area were not ruled out and would have been considered in the health assessment had they been identified by other topics in the course of the assessment. Therefore, the text in <b>Table 13.6</b> in <b>Chapter 13</b> of the <b>ES [TR02001/APP/5.01]</b> has been amended to delete the reference to <i>'noise and visual impacts of the airport'</i>, while retaining indirect impacts from construction and surface traffic access routes.</p> <p>It is noted that no indirect environmental effects were identified outside the local study area in the course of the assessment and therefore no health effects are reported in relation to such impacts.</p>
3.11	Health and Community	<p>Mitigation: Because the Applicant has not fully assessed health impacts for the reasons set out above, the mitigation proposed is inadequate. [AS-078] sets out key measures at paragraph 13.8.3 – four are of key interest to BC – f (noise envelope), m (CoCP), k (ETS) and l (sustainable travel). Focusing particularly on k as an example, there is a question about its status. The inclusion in the key 8 measures in [AS-078] suggests it is essential mitigation; while [REP5-052] at SE.1.4 includes comments to suggest that the ETS is elective and presents an enhancement rather than a necessary</p>	<p>As provided in the response at ID 3.10 above, the Applicant considers that the health assessment in <b>Chapter 13</b> of the <b>ES [AS-078]</b> is robust and comprehensive and that health effects have been fully assessed and that the mitigation proposed is commensurate.</p> <p>The ETS will be secured through the s106 agreement.</p>

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		intervention. This needs to be clarified and the inconsistent presentation should be removed. In BC's view the ETS is a necessary intervention.	
3.1 2	Health and Community	<p>The Applicant, in response at the hearing, said that the assessment was done at the Population level over a very wide area and it would not be proportionate to cover all of the items for the wider study area.</p> <p>If this is the case, then the introductory parts of the chapter need to be updated to manage this expectation; a robust rationale for excluding all of these matters is required; a check that this will then not place the assessment out of conformity with the Scoping Opinion needs to be completed; and the change to Table 13.6 also needs to be robustly evidenced.</p>	<p>As stated by the Applicant at Issue Specific Hearing 8, all potential significant health effects arising from impacts on health determinants were scoped into the health assessment.</p> <p>Health effects of noise from operational aircraft and air emissions from aircraft and surface access were quantitatively assessed at whole population level, in accordance with Defra guidance, across affected parts of the wider study area. Economic and employment effects would be dispersed across the wider study area and effects on specific communities cannot be predicted.</p> <p>The study area remained under review throughout the assessment so that effects on health determinants identified by other topics outside the local study area could be considered where required. No potentially significant health effects were excluded from the assessment.</p> <p>As such, the Applicant is satisfied that no updates to the Scoping Report or introductory sections of <b>Chapter 13</b> of the <b>ES [AS-078]</b> are required.</p>
3.1 3	Health and Community	<p>Another comment was made that the different characteristics of the communities across the wider study area are expressed in the baseline but this does not appear to be the case at least in any detail. The characterisation of the summary demographics statistics is done at a whole authority level (nothing lower). There does not appear to have been any attempt to analyse details about health priorities within various parts of either the core or wider study area.</p>	<p>The Applicant reiterates the point made at Issue Specific Hearing 8 that the characteristics of the communities across the wider study area are described using local authority-level data.</p> <p>The Applicant explained the rationale for the datasets used in the baseline. As described at ID 3.12 above, health effects in the wider study area were assessed at population level and cannot be linked to specific communities. It would not be proportionate to present an extremely large amount of Ward and LSOA-level data for the wider study area (which includes all of Luton, Buckinghamshire, Central Bedfordshire and Hertfordshire), which would not inform the assessment.</p> <p>The Applicant also stated that the assessment acknowledges that there are variations in the demographic and social baseline across the wider study area and that health effects would not be uniform.</p>
3.1 4	Health and Community	<p>In terms of the key concerns for BC, principally this is around the way in which the characteristic qualities of the villages of Pitstone, Marsworth and Ivinghoe may be detrimentally affected by increases in traffic; as well as the implications of extension of trip generation into the early hours of the morning, leading to sleep deprivation/disturbance on a permanent basis. BC is seeking both quantitative and qualitative assessment of this, and fuller consideration of what mitigations could be effective (e.g. it may be junction re-prioritisation to reduce residential exposure; there may be some opportunities for noise attenuation through other means; effective public transport options could also reduce private vehicle throughput, particularly for staff). BC is also keen that the measures of the ETS relating to securing accessibility for all manifest as firm commitments to the delivery of an at least hourly bus service to the airport for Bucks residents – this is a key aspect of supporting access to employment opportunities, which is an important factor in well-being.</p>	<p>Regarding traffic effects, please refer to the response provided at ID 3.8.</p>

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3.1 5	Health and Community	In response to the ExA suggesting that there could be potential for degradation of amenity from just one type of effect as part of neighbourhood character assessment, the Applicant said that this was not in scope and that controls covered this, citing GCG. BC does not consider this response to reflect a full consideration of the issue. GCG does not cover all health determinants (in this regard it is only really aircraft noise that is controlled by GCG). In reality, the reliance on the noise assessment results re: significance means that many of the traffic flow changes are disguised within the data. The fact that the outline TRIMMA has been set up is, to BC, indicative of the Applicant's underlying awareness that this is a weakness and that unforeseen and unintended consequences are actually very likely (and arguably, therefore, foreseeable and in some locations, mitigatable. For example, the homes adjacent to the car parks proposed at the airport, which were discussed at ISH8, which are also falling out of scope due to the health methodology followed).	Regarding the approach to assessing neighbourhood quality and use of other topics' conclusions to inform the health assessment, please refer to the response provided at ID 3.9.
3.1 6	Greenhouse gases and Climate Change	Inset 12.4 of Chapter 12 of the Environmental Statement ("the ES"), Greenhouse Gases ("GHG"), which is entitled "The incremental effect of Jet Zero Strategy mitigation policies on Aviation Emissions" [REP3-007, p.68] has been referred to at times as a sensitivity study. However, it merely shows the different contributions of measures to the total aviation GHG emissions reductions through to 2050. It is not and should not be understood as a sensitivity study, (see [REP5-064, §2.40]).	The Applicant stands by the response in the <b>Applicant's Response to Deadline 5 Submissions Appendix B – Buckinghamshire Council [REP6-055]</b> , and reiterates the acceptance that the analysis does not constitute a quantitative sensitivity analysis, rather a proxy for it. Please refer to <b>REP6-055</b> .
3.1 7	Greenhouse gases and Climate Change	<p>In Table 12.23 of Chapter 12 of the ES [REP3-007, p.68], the Applicant indicates their position is that UK ETS and CORSIA provide backstops should the technological developments from Jet Zero Strategy ("JZS") not come forward. BC requested within [REP3-083, §§22-32] that the Applicant show the effect of a higher or lower carbon price upon cumulative GHG emissions. This is the mechanism that the UK ETS &amp; CORSIA would use, should JZS developments not come forward as assumed. CORSIA relies upon significant international cooperation, which may not be forthcoming.</p> <p>In [REP4-104, pp.8-9] the Applicant states that although variation in carbon prices has been assessed with respect to demand variation, they also state that it is not possible to model the effect of higher or lower carbon prices upon GHG emissions due to the volume of data. The question remains though, what is the specific impact upon carbon price and demand if, for example, efficiency improvements do not come forward at 2% per annum? What is the price impact if SAF comes forward at a different rate from that foreseen within JZS? This specific causal assessment of the sensitivity of GHG emissions to varied rates of technological development has not been made by the Applicant.</p>	<p>As set out in <b>Appendix B to the Need Case [APP-214]</b>, a range of carbon prices for both ETS and CORSIA flights have been assumed within the passenger demand modelling. Consistent with the Government's Jet Zero modelling, these values trend from current traded prices to the BEIS (DESNZ) target appraisal values, which are themselves set at a level designed to incentivise the realisation of efficiency improvements and abatement. The Applicant is not in a position to specifically associate a particular carbon price/target value to the attainment of specific initiatives, such as the 2% efficiency assumption contained within the Jet Zero High Ambition scenario or to the specific price of SAFs. Rather the Applicant considers that by incorporating a wide range of carbon allowance values within its modelling of future demand addresses any level of uncertainty over the extent and timing of improvements.</p> <p>Furthermore, it is not possible to meaningfully model the impact on carbon emissions associated with different implementation rates of specific carbon reduction initiatives. However, ETS and CORSIA act as a backstop in reducing emissions in line with the Jet Zero Strategy should any of the specific initiatives not be implemented as forecast.</p>
3.1 8	Greenhouse gases and Climate Change	Chapter 4 "Luton Airport" states "Innovation - Aviation: support the airlines in uptake of sustainable aviation fuels and electric aircraft" [REP3-100, p.11] with Luton Airport (the Applicant) identified as the Action "owner". The timeframe given is 2040. BC asks that the Applicant outline what concrete action has or will be committed to by the Applicant within the DCO to address this action point.	The <b>Greenhouse Gas Action Plan [APP-081]</b> commits the Applicant to providing the infrastructure necessary to enable charging or refuelling of Zero Emission Aircraft, such as electric or hydrogen models [APP-081, p7]. Permitted Development rights will be invoked by the Applicant to improve sustainability performance at airports. As far as Sustainable Aviation Fuel (SAF) is concerned, this will be managed by the aviation supply chain, rather than the Applicant itself, because existing refuelling equipment can be used for SAF fuel mixes.



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3.19	Green Controlled Growth	<p>Basis for the limits and thresholds</p> <p>The Applicant has provided details of the Green Controlled Growth limits and thresholds for GHG in Table 3.7 of [REP5-021], however it is not clear what the source of the figures within the table are or how they are calculated. In paragraph 3.4.3 the Applicant refers to the calculation of GHG emissions for the Proposed Development in Chapter 12 of the Environmental Statement [REP3-007]. However, there is no reference to how the limits and thresholds were determined, i.e. a methodology. The Applicant provides detail regarding the monitoring processes and actions required if thresholds were exceeded, but not the basis for the limits and thresholds. BC requests that the Applicant provides an explanation of the methodology utilised to allow for a review to be able to comment on this area. The ExA asked essentially the same questions at the Hearing and David Johnson for BC explained that BC has the same questions and would welcome sight of the answers provided to the questions asked by the ExA at the Hearing.</p>	<p>The Applicant has responded to this point in <b>Appendix A of the Applicant's Post Hearing Submission – Issue Specific Hearing 9 [REP6-067]</b>.</p>
3.20	Green Controlled Growth	<p>Ability of the Framework to incorporate updated policy and legislation</p> <p>In paragraph 3.4.40, the Applicant commits "...to undertake a review of both the definition of 'airport operation' and the associated Limit for 2040 onwards within three months of government clarifying the scope and pathway to achieving this policy ambition". BC suggests that the Applicant include within this a process to take into consideration other future policy changes regarding decarbonisation measures beyond current government policy and ambition.</p>	<p>The Applicant has included the mandatory review of the airport operations greenhouse gas limits to reflect all known future policy changes. Any further (and as yet unknown) changes to legislation would apply at a national level, and would be a requirement that all airports (including Luton) would have to comply with in future. It is therefore not considered necessary for any future legislative changes to be transposed into GCG.</p> <p>With regards to future changes in policy and further undefined and unspecified ambitions, the <b>Applicant's response to Deadline 4 Hearing Actions Issue Specific Hearing 5 Action 18 [REP4-070]</b> considered the same suggestion in the context of air quality, however the principles outlined within that response also apply for greenhouse gases. Environmental assessments and consenting decisions (based on the findings of those assessments) can only be made against current and known future legislation and policy, and it is not reasonable for requirements to be imposed where they would prevent the implementation of a planning consent that was policy compliant at the time it was granted.</p> <p>The precedent for planning conditions at Stanstead Airport referenced in the <b>Applicant's response to Deadline 4 Hearing Actions Issue Specific Hearing 5 Action 18 [REP4-070]</b> confirmed this approach is reasonable in the context of greenhouse gases, as well as air quality. The Applicant considers an approach which requires it go beyond what is required by policy or legislation fails to appreciate the ground-breaking measures secured under the GCG Framework, and runs a serious risk of putting Luton Airport in a worse position compared to all other airports in the UK.</p>
3.21	Surface Access	<p>The case remains that it is uncertain if the funding profile for the FTP is sufficient to deliver meaningful interventions in any given year. It should also be noted that the FTP is written in such a way as to make all the Public Transport interventions subject to private commercial entities being willing to provide the service, and therefore be out of the Applicant's control. This means that for the TP, engagement could take place and nothing be delivered and the requirements of the TP be met.</p> <p>It is however perfectly possible for the Applicant to provide private services in the public transport sector should they be unable to engage an existing</p>	<p>It is not the purpose of the Sustainable Transport Fund to support mitigation for adverse impacts associated with the airport's expansion. Mitigation comprises the provisions of the GCG Framework and Schedule 1 Works. Instead, the STF demonstrates the Applicant's additional level of ambition and commitment to work with authorities to deliver additional sustainable transport interventions as the airport expands. Clarity on what comprises mitigation and funding is contained in section 7.5 in the <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH 9) [REP6-067]</b>.</p> <p>The increase in the value of the fund and introduction of the opportunity to pump prime interventions has been added to increase stakeholder confidence in the fund and its ability to</p>

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		<p>provider. This has been secured within other planning applications (e.g. Pinewood studios Screen Hub UK application was to provide a private shuttle bus to Slough Station, and the Luton DART is an equivalent.) Please search application reference: PL/20/3280/OA for details.</p>	<p>achieve the ambitious targets to be set out in future Travel Plans. The updated <b>Sustainable Transport Fund [TR02001/APP/8.119]</b> and <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> provide more information on the STF.</p> <p>The Luton DART already provides a direct connection between Luton Parkway Station and the airport terminal, which aligns with the example provided in the response. The Applicant's substantial investment in the Luton DART connection further demonstrates its absolute commitment to improving sustainable transport solutions to and from the airport.</p> <p>Any commitment to a particular bus service at this stage would be out of step with the decision-making role of the ATF Steering Group. The application of STF funding will be governed by the Steering Group of the ATF, which includes the relevant highway authorities as members, who will therefore have a direct role in determining what interventions are chosen to achieve the Targets identified by the Travel Plans. This will be secured through the proposed Section 106 agreement, as set out in the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b>.</p> <p>The airport operator has continued to engage with bus operators as part of its expansion plans, and examples of similar bus routes provided by private entities supported by local authorities in the area demonstrate that this is a proven measure.</p>
3.2 2	Green Controlled Growth and Surface Access	<p>The TRIMMA falls under the same conditions as the FTP, in that there is no link between that and the GCG post consent, and the only link between the TRIMMA and the FTP is that they are administered through the ATF, however these two documents are shown to operate independently of each other. It would make sense that if the FTP identified a limiting factor in the physical network that it could inform the TRIMMA Type 2 mitigation to undertake works to facilitate the greater effectiveness of a FTP intervention and a suitable feedback loop in the opposite direction.</p>	<p>It is not the role of the FTP (or subsequent travel plans) to identify residual impacts of the Proposed Development on the public highway, which will be addressed through the TRIMMA process through type 2 mitigation (MT2). It will be the role of the travel plans to identify and deliver measures which will encourage modal shift beyond GCG limits; it will be the role of the TRIMMA (MT2) to enable the ATF Steering Group to identify specific residual impacts and to subsequently decide on appropriate mitigation.</p>
<p><b>4. Buckinghamshire Council (Comments on Deadline 5 submissions) [REP6-086]</b></p>			
4.1	Noise and Vibration	<p>REP5-014; REP5-015: 5.12 Comparison of consented and proposed operational noise controls (clean and Tracked change version)</p> <p>This submission has been reviewed. The Council welcomes the Applicant's submission of the comparison document, which shows that the proposed operational noise controls are unique and fundamentally different from the traditional approach to noise controls. The Council requires a place on the Green Controlled Growth Noise Technical Panel to properly protect the interest of its community.</p>	<p>Buckinghamshire Council's support for the Applicant's submission is noted.</p> <p>The Applicant considers that the issue raised regarding Buckinghamshire Council's membership of the Noise Technical Panel was answered in the response provided at ID 32 of the <b>Applicant's Response to Deadline 4 Submissions [REP5-046]</b>.</p>
4.2	Green Controlled Growth	<p>REP5-020; REP5-021: 7.07 Green Controlled Growth Explanatory Note</p> <p>Paragraph. 2.2.47 states during the transition period of the GCG Framework there will be no requirement to carry out any monitoring for air quality, greenhouse gases and surface access, as for these environmental topics, the Applicant asserts that monitoring will need to be carried out over a full calendar year. The Council does not agree with this interpretation – Local Air Quality Management (LAQM) Technical Guidance 22 (TG22) states in para. 7.140 where automatic monitoring has been completed for less than</p>	<p>The Applicant has set out within the <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9</b> Actions 6 &amp; 7 <b>[REP6-067]</b> that it does not consider it necessary or appropriate for a requirement for pre-commencement monitoring (which would then provide a part-year of monitoring data for the transition period following notice being served under Article 44(1)). Whilst the Applicant notes the guidance referenced, which could be used either in conjunction with or as an alternative to pre-commencement monitoring by reporting on air quality monitoring results obtained during the remainder of the year in which notice under Article 44(1) is served, this does not change the Applicant's position regarding the transition period.</p>

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		75% of the year, annualisation techniques can be used to estimate an annual average from a part year average. For annualisation to be completed, there must be 25% annual monitoring data available. Therefore there will only be a need for 3 months of monitoring data to be available within a calendar year for air quality, thus it would be possible for the monitoring to start sooner, and the Council would be supportive of such a change. The Council notes that this matter was also raised at ISH9.	<p>The Applicant has set out in its submission why the transition period is a suitable mechanism to introduce the additional monitoring and controls of the GCG Framework (including the installation of the necessary monitoring equipment). As these are additional controls which are above and beyond the obligations already in place through the existing planning permissions, there is therefore no 'gap' in controls or monitoring provision that needs to be addressed. The proposed timeframe for monitoring to commence (from the 1<sup>st</sup> of January following notice under Article 44(1) being served) is considered appropriate and reflects the very limited growth which could occur in the remainder of the year following notice being served.</p> <p>As stated in the <b>GCG Explanatory Note [TR020001/APP/7.07]</b>, there will be no requirement for the full GCG process for air quality to apply during the transition period. In practical terms however, the monitoring that will be required for the GCG process from 1 January will need to be deployed prior to this date in order to ensure systems are operating correctly (quality assurance and calibration processes will need to be undertaken). Therefore, during the transition period, any monitoring carried out can be annualised (where possible) and made available. However, the results would be for information only as the full GCG process will not apply for this data.</p>
4.3	Green Controlled Growth	The Council is concerned that the five-year threshold and level review cycle will not allow for correction of noise limits because it is overly long. The Section 106 agreement for 21/00031/VARCON requires that the Luton Airport 2022 Noise Management Plan Technical Document is reviewed 12 months following the implementation date, 30 June 2025, 30 June 2027, and subsequently every five years following 30 June 2027. The Council would be satisfied if a noise envelope review program with similar periods was included in the Green Controlled Growth Framework. The noise envelope design group for Luton Airport has been disbanded. If or when it is reformed the Council wishes to be included as member.	The airport operator's 2022 Noise Management Plan associated with 21/00031/VARCON sets phased noise controls up until 2028, after which the controls are fixed until a review is undertaken. That is not the case for the Proposed Development where phased noise controls are set every five years until at least 2044. There is also the Noise Limit Review which can be triggered at any point within a five-year cycle and does not have to occur at the end of the cycle. This, combined with the overall regular review process of the GCG Framework (see paragraph 2.2.50 onwards of the <b>GCG Explanatory Note [TR020001/APP/7.07]</b> ), and the newly committed five-yearly updates to the <b>Air Noise Management Plan [TR020001/APP/8.125]</b> , is considered to be an appropriate and robust review cycle.
4.4	Green Controlled Growth	<p>REP5-024; REP5-025: 7.08 Green Controlled Growth Framework Appendix A – Draft ESG terms of reference</p> <p>Although the Council maintains its position that it wants a place on the Noise Technical Group, it welcomes the provision in [REP5-024] Para A4.9.3 concerning limit reviews, the Council seeks an amendment to sub paragraph e. making it clear that, following a review, should any of the actual or predicted LOAEL contours (day or night) include a local authority which was not a previous member of the panel, it is automatically granted membership.</p>	The current membership of the Noise Technical Panel is based on the extent of the noise contours that were recommended by the Noise Envelope Design Group as the contours that should be used as noise Limits in the Noise Envelope. It is therefore considered appropriate that the same criteria is applied when membership is reviewed following an airspace change.
4.5	Green Controlled Growth	The GCG addresses surface access by applying a cap to the percentage of trips to be made to the airport through unsustainable modes for both passengers and staff. There remains a lack of clarity regarding the relationship between the GCG framework and the Framework Travel Plan [REP4-044]. The Framework Travel Plan states that its targets are to be set in such a way as to strive to exceed those required within the GCG framework. However, there is no obligation to secure this through the GCG document or the Framework Travel Plan [REP4-044]. The monitoring of surface access is proposed to be based on CAA annual passenger surveys and so will only be able to monitor this target retrospectively. Given that, it is stated that the Framework Travel Plan is a suite of options available to the Travel Plan coordinator, and there is no certainty of any of the measures	<p>The Applicant has set out in more detail the relationship between the GCG Framework, the Framework Travel Plan and TRIMMA at paragraphs 7.5.1-7.5.8 of the <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 [REP6-067]</b>.</p> <p>The <b>Applicant's response to Written Questions – Traffic and transport</b> at ID TT.2.9 <b>[TR020001/APP8.161]</b> sets out how the Travel Plan targets will be secured. Each future Travel Plan will be required to set out the magnitude of the Targets and the specific interventions to be delivered to achieve those Targets within the five year period to which it relates, drawing on the suite of options presented in the Framework Travel Plan. Each Travel Plan must be submitted to and approved in writing by the relevant planning authority, following consultation with the relevant highway authority on matters related to its function, pursuant to paragraph 30(1) of the Schedule 2 of the <b>Draft DCO [TR020001/APP/2.01]</b>. This requirement therefore provides the necessary</p>

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		included being delivered, similarly the TRIMMA [REP5-041] requires local authorities to monitor for mitigation type 2.	<p>certainty that each Travel Plan must be acceptable to the relevant planning authority, such that they would approve each application to discharge this requirement.</p> <p>Whilst local authorities are required to monitor for mitigation type 2, the Applicant has agreed to update the <b>Outline TRIMMA</b> for Deadline 7 [TR020001/APP/8.97] so that expenses incurred in evidencing schemes to be funded by the Residual Impact Fund (RIF) would be reimbursed if mitigation is delivered.</p>
4.6	Green Controlled Growth	The Council notes that in Section A4.11.1 the Applicant states that a Greenhouse Gases Limit Review shall be submitted to the Environmental Scrutiny Group (ESG). This has changed from the Greenhouse Gases Technical Panel. Further in section A4.11.2, it is stated that input from the Technical Panel is at the discretion of the ESG and not mandatory. The Council takes the view that it is important that the Greenhouse Gases Limit Review should be reviewed by, and comment provided, by technical experts in the field to ensure that detail is robust and technically sound. The Council would suggest that the inclusion of the Greenhouse Gases Technical Panel be mandatory within the review procedure.	This amendment was made at Deadline 5 to the <b>Draft ESG - Terms of Reference [REP5-024]</b> to better clarify the role of the ESG as the primary decision making body and its interface with the GHG Technical Panel, whose function it is to provide expert advice to the ESG where required. The drafting in no way prevents the ESG from obtaining any necessary advice from the technical experts on the GHG Technical Panel, which it can do so at its own discretion. The Applicant will consider whether further changes are required to be introduced at Deadline 8.
4.7	Green Controlled Growth	<p>REP5-032; REP5-033: 7.08 Green Controlled Growth Framework Appendix F – Surface Access Monitoring Plan</p> <p>This submission has been reviewed, and the Council is satisfied that it provides a suitable methodology for collecting data from passengers and staff regarding their arrivals at the airport. It is not clear if the CAA data obtains any information regarding passengers' arrangements for their return journey. In order to properly assess mode share, data should be sought for those passengers arriving at the airport and then making onward journeys to their final destinations by surface transport. On the assumption that the majority of flights will be accompanied by a return leg, then it should be possible for the survey to be updated to capture that trip.</p> <p>2.19.2. The Council recognises that amending the CAA survey may be out of the airport's control, however, consider it to be a matter that the airport could and should usefully address through additional questions applied to the CAA survey or through its own surveys.</p> <p>2.19.3. It is the Council's view that the document should be updated to show how the airport intends to monitor mode share for both those on departing flights and arrival flights as focus on departing flights would only represent 50% of the surface access trips.</p>	<p>As described in the CAA's sampling methodology for the Departing Passenger Survey (as set out on their website), interviews are weighted to the two-way passenger flow, under the assumption that over the period, departing and arriving passengers will show the same characteristics.</p> <p>This methodology and assumption are well-established and have been utilised since the inception of the Departing Passenger Survey. The nature of passenger journeys means a large proportion by definition must utilise the same mode of transport for both legs of their journey; for example, passengers parking at the airport will need to drive their car home when they return home. The Applicant therefore does not consider that additional surveys of arriving passengers are required. This data is commonly accepted as representative for the purpose of surface access modelling at UK airports.</p>
4.8	Health and Community	The Council does not agree with the Applicant that the changes made to Table 13.6 and Para. 16.9.3 (page 64) in AS-078 are Errata in nature. In the opinion of the Council, they are not minor in nature and do materially change the assessment. This is a matter that was raised in the context of health at ISH 8 and is expanded upon below and within the Council's post-hearing submission at Deadline 6.	<p>Regarding Errata, please see the response provided at ID 3.10 of this document.</p> <p>Health effects arising from perceptions and uncertainty are assessed in <b>Chapter 13</b> of the <b>ES [AS-078]</b>, paragraphs 13.9.3 to 13.9.7. This assessment is applicable to all communities where concerns about the potential effects of the Proposed Development are likely to arise, including communities in Buckinghamshire.</p>

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		<p>2.21.3. The change to 16.9.3 was made as a result of questions posed by the ExA seeking clarification of the changing nature of effects on perception and uncertainty in construction and operation, not suggesting that the effect was not relevant to one of the phases. The Council therefore considers that the Applicant has elected to present this as an Errata rather than undertake the necessary work to address perceptions and uncertainty in the operational phase. This is viewed as a weakness in the assessment, especially as the operational phase involves incremental increases in capacity provided that certain thresholds are not breached, which in itself means that there is inherently uncertainty about the pace at which the airport will grow, should a DCO be secured. The consequence of this is that the mitigation proposed by the Applicant – principally relating to engagement secured through the CoCP – will not necessarily be supported through the operational phase. The Council wishes the Applicant to provide a fuller justification of this matter.</p> <p>2.21.4. Inclusion of the change proposed to Table 13.6 within the Errata report essentially provides a de-scoping of much of the health assessment for the wider area, as a subset of the study area. Presentation of this as an Errata downplays the implications and further is supported by an unsubstantiated statement that 'Environmental impacts from the construction and operation of the airport are not relevant for the wider study area'. The Council asserts that the environmental impacts of the airport are relevant since they can give rise to environmental effects for human health and communities within the wider study area, which includes communities in Buckinghamshire. The Applicant states that there will be environmental effects in the wider study area in AS-078 (para. 13.3.5(c)), albeit at ISH8 the Applicant sought to amend this statement by indicating that the effects relevant to the wider study area were related to economic matters.</p>	<p>Concerns about the airport are described based on feedback received during both the 2019 and 2022 Statutory Consultation, which included feedback from residents of Buckinghamshire (see paragraph 13.9.5). The assessment states that '<i>Sensitivity is likely to be generally higher in the local neighbourhood/Luton area</i>' (paragraph 13.9.7. This wording does not preclude effects outside this area.</p> <p>Likewise, mitigation proposed in the <b>Code of Construction Practice [REP6-003]</b> (including the Community Engagement Strategy) will cover all communities affected by the Proposed Development.</p>
4.9	Surface Access	<p>REP5-037; REP5-038: 8.30 Trip Distribution Plans</p> <p>The plans show average daily distributions. However, during the SoCG meeting with the Applicant on the 15 November 2023, the Council was informed that the distribution plans did not include traffic for the early hours of the morning prior to the network peak hours. Therefore, the diagrams do not represent the total 24hour development trips using the network.</p>	<p>The Applicant wishes to clarify that the overall daily Trip Distribution Plans are for daily traffic which covers 24 hours. The Applicant highlighted that the Strategic model only covers peak hours (AM morning, Inter peak and PM evening).</p> <p>During the meeting on 15 November 2023, the Applicant agreed to produce the airport daily traffic profiled over 24 hours, and this has been now reported in <b>Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]</b>.</p>
4.10	Surface Access	<p>The Council requested from the Applicant (during the 15 November 2023 meeting) information regarding the early hours trip distribution and projected numbers of vehicles to be using the routes (notably the B489, which is the western long distance approach route). This is to enable consideration of the impacts of traffic associated with the morning flight peak, which is from 7am, and thus is anticipated to be experienced in Buckinghamshire from c. 4.30/5am. The response during the meeting was that those figures would not be able to be extracted from the modelling, but numbers could be produced based on certain assumptions. It is the Council's position that these plan updates also do not answer the ExA's request made during ISH4. The Council also reiterated the need for this data in the context of health assessment, which was raised by the Council at ISH 8.</p>	<p>Please refer to the response provided at ID 4.9 above.</p>

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4.1 1	Surface Access	The Council remains of the position that the distribution diagrams show increases in traffic on the B489 in the modelled time periods and that these are material. It is also the Council's position that the strategic model provides route assignment, contrary to comments made during ISH7 implying that the distribution plans represent desire lines only.	Please refer to the response provided at ID 3.3 of this document.
4.1 2	Surface Access	<p>REP5-041; REP5-042: 8.97 Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA)</p> <p>The Council is concerned that the TRIMMA remains unable to achieve its stated objectives. Paragraph 1.2.3. states that it will allow the airport operator to actively detect and introduce mitigation on the highway network at the appropriate time. However, the TRIMMA requires Local Authorities to fund and gather evidence for submission to the airport operator to request mitigation (Mitigation type 2). This is incongruent with the statement of the airport operator actively detecting and introducing mitigation. It is recognised that the Applicant should not be in a position to be financially liable for unlimited commitments, however the Residual Impact Fund has not as yet been defined, and it should not be incumbent on local authorities to self-fund the monitoring of the success or failure of the airport's mitigation nor should it be the responsibility of local authorities to determine and make a case for any need to provide further mitigation.</p> <p>In the context of applying the mitigation hierarchy to addressing impacts on human health, the reactive approach proposed by the TRIMMA is sub-optimal. Its fundamental operation means that a 'problem' must manifest and be experienced as an adverse effect before any intervention is discussed and there will then be both uncertainty and delivery lag in terms of addressing emergent issues. Further, it does not support the delivery of active and sustainable transport modes from the outset of the expansion, missing the ideal time to seek to embed sustainable travel behaviours, particularly amongst the workforce – building capacity and realistic choices as part of the core of the Proposed Development is considered to offer much greater health benefits across a number of topics than the current approach, which is unnecessarily biased to supporting car-based modes.</p>	<p>The revised <b>OTRIMMA</b> (submitted at Deadline 7 [TR02001/APP/8.97] will include changes which respond positively to the points raised in the first paragraph of this comment.</p> <p>The TRIMMA presents a pro-active approach to the delivery of mitigations; thresholds will be agreed between relevant highway authorities and the Applicant, as described in section 3.3.9 of the <b>OTRIMMA [REP5-041]</b>. These thresholds will be at a level so as to deliver proactive mitigation.</p> <p>The TRIMMA supports the delivery of mitigation works which are different to the off-highway works which are currently proposed; this is documented in section 3.3.13 of the <b>OTRIMMA [REP5-041]</b>.</p>
4.1 3	Surface Access	It is not clear how the TRIMMA is connected to Green Controlled Growth and its monitoring of surface access.	Green Controlled Growth (surface access) monitoring relates to the monitoring of surface access mode shares for passengers and staff; TRIMMA monitoring relates to the monitoring of airport traffic on the public highway. The surface access mode shares will directly affect the overall level of airport traffic on the public highway, but it is not the purpose of GCG to monitor or manage impacts at this granular level, on a junction-by-junction basis. It is for this reason that the TRIMMA has also been developed by the Applicant to work in conjunction with GCG and respond to the need for additional monitoring and mitigation on the public highway. The relationship between the various processes is illustrated in the <b>Surface Access Controls – Relationship Map [EV16-002]</b> .
4.1 4	Surface Access	<p>REP5-056: 8.119 Applicant's response to Issue Specific Hearing 4 Action 26 – Sustainable Transport Fund</p> <p>This submission has been reviewed. The Council remains concerned that the Sustainable Transport Fund has not been set based on any form of</p>	The Sustainable Transport Fund is not a form of mitigation for impacts associated with the airport's expansion. Instead, it demonstrates the Applicant's additional level of ambition and commitment to work with authorities to deliver sustainable transport interventions as the airport expands. Mitigation measures required to address a breach of a GCG Limit would be funded

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		<p>calculation of the costs of the required interventions. To base the size of the fund on that of the model used at other airports does not address the issue of ensuring that the fund is able to meet the needs of Luton Airport and the surrounding area. This is important as the FTP and STF are the only means on offer by which it can be assessed whether or not the Applicants can meet the GCG Surface Access limits.</p> <p>As the fund is currently proposed, it will only be possible to implement measures based on the financial position of the STF in any given year.</p> <p>The Council does not consider that the fund cap should be applied at any time prior to the airport reaching its full permitted capacity. This would not permit the airport to mitigate or develop services to serve the full capacity of the airport.</p> <p>Capping the fund at £18.5m does not provide any indication of the anticipated costs of the needs that the STF is required to fund. This would also need to be able to increase with inflation through the life of the fund. It is not stated which measure of inflation is to be used for indexing purposes.</p> <p>It is noted that consideration is being given to the concerns raised by Local Authorities regarding the availability of funds in the early years. It is requested that the conclusion of this consideration be shared with all relevant Councils at the earliest possible opportunity, on the basis that this has the potential to change the funding model significantly if the fund is to be 'pump primed' as suggested during ISH4.</p>	<p>outside of the STF. Clarity on what comprises mitigation and funding is contained in Section 7.5 in the Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH 9) <b>[REP6-067]</b>.</p> <p>The increase in the forecast cumulative value of the Sustainable Transport Fund, to that proposed previously, is set out in the <b>Sustainable Transport Fund [TR020001/APP/8.119]</b>. This includes an increased annual fund size to that proposed previously.</p> <p>The <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> sets out the approach to index linking the fund.</p> <p>A commitment has been added to the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> to address the need for pump priming in the STF. It states that the Applicant covenants that, provided the first Travel Plan (as defined in the Draft DCO) demonstrates a need for early funding in excess of the initial revenues of the STF, it will make available up to £1,000,000 of pump priming funding no later than the first meeting of the ATF Steering Group, provided that the Applicant may recoup an amount equal to the pump priming contribution from the STF once sufficient fund have been accumulated.</p>
4.1 5	Surface Access	<p>It is unclear how physical provisions within the airport to support sustainable transport would be delivered. This document states that the STF is not for use for the provision of capital works. During ISH7 it was implied that these would be considered works as part of the Framework Travel Plan and therefore could be funded from the STF. The Council considers that all works that form part of the design of the airport layout and buildings should be considered capital works and not be permitted to diminish the STF and its ability to deliver measures to have maximum impact on the mode share.</p>	<p>The STF will not be used to fund any of the specified works identified within Schedule 1 of the <b>Draft Development Consent Order [TR020001/APP/2.01]</b>.</p> <p>All spending decisions regarding the STF will be made by the ATF Steering Group. Any intervention proposed by ATF members, including the airport operator, to be considered for funding must be evidenced, necessary, and fairly and reasonably related to the development. The ATF Steering Group will consider a proposed intervention against agreed criteria (to be defined by the ATF Steering Group upon their establishment). The ATF Steering Group must be satisfied that the interventions proposed for funding are likely to provide a positive impact on sustainable mode share and the <b>Surface Access Strategy [APP-228]</b> vision, objectives and priority areas.</p>
4.1 6	Surface Access	<p>REP5-058: 8.122 Bus and Coach Study</p> <p>This submission has been reviewed. It has been noted that the study identifies potential services that could be developed and delivered, but that there is no certainty that any of these services would be delivered either through commitment or requirement. It is noted that the Applicant sets out that the provision of bus and coach services are not in the direct control of the airport operator, it is acknowledged that current services are provided by commercial enterprises. However, the Council does not consider that this should preclude the Applicant from entering into a commercial arrangement to deliver services that are necessary to address the mode share requirements.</p>	<p>The <b>Bus &amp; Coach Study [REP5-058]</b> presents undetailed potential services that may be included in future travel plans. Any potential intervention for sustainable transport funding should be submitted to the ATF Steering Group following notice to grow and will be considered in Bus and Coach Market Study. All spending decisions regarding the STF will be made by the ATF Steering Group.</p>









I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
4.1 7	Surface Access	<p>The analysis of the existing bus services and coach services clearly demonstrates the lack of provision of the network to the west of the airport for both bus and coach services. Therefore, the Council welcomes inclusion of the route X61 within this document, however it does not consider a three hourly service to provide a level of service suitable for use by commuters or passengers to the airport. The minimum level of service that could be considered appropriate would be an hourly service. In order to properly address the commuting requirements, the route should be every 30minutes to be considered a high-quality service.</p> <p>The provision of public transport that enables residents in Buckinghamshire to travel to the Airport quickly, cost-effectively and at appropriate times (i.e. taking account of shift patterns) is essential to the delivery of the forecasted economic benefits. Without this, the aims of the Employment and Training Strategy will be undermined and the effectiveness of the activities it proposes will be lessened.</p> <p>The Council still considers that the second service is requirements are outstanding for the highspeed service (either bus or coach) with provision for passengers and their luggage. The provision of the X61 does not give any reference to the ability of that service to provide facilities for luggage and so the Council is concerned that passenger mode share from the west would be entirely reliant on unsustainable modes.</p> <p>It is noted that the Bus and Coach study gives no reference to the anticipated cost of the provision of these services. The Council remains concerned that the proposal for these services to be supported by the STF does not present any evidence that there is to be sufficient funding available to support the services. During ISH7 it was suggested that the STF would have at its disposal a maximum of £500,000.00 in its first year, this would be considered insufficient to support bus services for a year. Further information is required in this document and the STF as to how funds would be secured and allocated and the duration of the support.</p>	<p>The increase in the value of the fund and introduction of the opportunity to pump prime interventions has been subsequently added to increase stakeholder confidence in the fund and its ability to achieve the ambitious targets to be set out in future Travel Plans. Please see the updated <b>Sustainable Transport Fund [TR020001/8.119]</b> and <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> for more information on the Sustainable Transport Fund. The <b>Bus &amp; Coach Study [REP5-058]</b> presents undetailed potential services that may be included in future travel plans. Any potential intervention for sustainable transport funding should be submitted to the ATF and ATF Steering Group following notice to grow and will be considered in Bus and Coach Market Study. All spending decisions regarding the STF will be made by the ATF Steering Group.</p>
<b>5. Carol Redgmt [REP6-156]</b>			
5.1	Need Case	<p>Productivity growth in air transport has not translated into increased wages; after considering inflation, wages in air transport were significantly lower in 2022 than they were in 2006. This wage squeeze has been felt exclusively by middle and lower-paid workers, with real wages at the top seeing real-terms growth. Overall, between 2008 and 2022, air transport saw the largest real-terms pay decline of any sector in Britain and therefore worsened the country's wider wage stagnation problem. The gains of productivity growth have accrued to higher-paid staff and shareholders. Proponents of the sector have long argued that growth in air connectivity – and business passengers utilising that connectivity – drives improvement in various macroeconomic indicators. Contrary to the prevailing assumption underpinning the political and sectoral narratives, however, the work of the New Economics Foundation did not find strong evidence of this link in contemporary Britain.</p>	<p>This response refers to the work of the New Economics Foundation (NEF) that was responded to in full in the <b>Applicant's Response to Written Representations – Part 4 – Appendix (NEF) [REP2-038]</b>.</p>



I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
5.2	Need Case	<p>The research presents strong evidence that in less developed and less connected nations, air capacity growth can be a causal driver of economic growth. This relationship also appears to hold for nations with a strong inbound tourism bias such as Europe's Mediterranean destinations. But in a nation such as the UK, already one of the best connected in the world, and seeing a strong outbound tourism bias, the case for growth appears to rely almost entirely on the presence of business air passengers. As net business air passenger growth has effectively ceased, the macroeconomic benefits of British air capacity growth appear to have diminished.</p> <p>In fact, the NEF advocates that the government should conduct a new, comprehensive, call for evidence and review of the economic case for the expansion of the UK air transport sector in terms of passenger departure and air traffic capacity. In the light of the findings of this review, the government should consider the consistency of its air capacity policies with those of climate change, domestic tourism, and its levelling-up agenda.</p>	Please refer to the response provided at ID 5.1 above.
5.3	Need Case and Economic s	<p>It has been some time since the UK government has conducted and/or commissioned assessments of the marginal economic impact (ie the impact of growth) of the UK air transport sector (or sections of it). While there have been several aviation-related consultations and policies over the past five years including the Jet Zero Strategy and Aviation 2050, these have largely steered clear of attempting a new, comprehensive assessment of air transport's contemporary economic impact.</p> <p>The overall case that economic benefits derive from air transport growth is not established. As Pot and Koster (2022) recently put it, "Airports are often portrayed as drivers of economic growth, even though the empirical evidence on this relationship is inconclusive still".</p>	Please refer to the response provided at ID 5.1 above.
5.4	Need Case	<p>The past two decades of air travel growth have been driven by strong passenger demand for travel, the competitiveness of international tourist destinations, low ticket prices, and growing air travel capacity. The latter three factors have been supported by UK government policy. This has included a tax relief package, in which air travel receives an exemption from fuel duty and VAT which is only partially offset by the levying of Air Passenger Duty.<sup>22</sup> Additional support for growth has been provided through the planning regime, which has prioritised airport expansion over local opposition.</p>	Please refer to the response provided at ID 5.1 above.
5.6	Noise and Vibration	<p>There are laws in the UK which define a maximum acceptable amount of occupational noise exposure. For example during "night hours" – 11pm to 7am - where background noise is no higher than 24dBA, after 11pm permitted noise levels are 34dBA and action can ultimately be taken against the proponent. However, there is no defined limit for environmental noise, including aviation noise. To assess the adverse impact of aircraft noise the UK government does have an established policy that the Lowest Observed Adverse Effect Level is 51dBA and 45dBA for average summer's days and nights respectively. The intention is to make sure that noise is an important factor in planning decisions and may result in support for noise mitigation. The inspectorate's response to and approval of the 21m passenger capacity uplift cited no significant increase in noise.</p>	<p>The "permitted noise levels" mentioned in this response are not recognised by the Applicant in relation to airport noise.</p> <p>The Lowest Observable Adverse Effect Level (LOAEL) is recognised and has been used in the assessment of noise in <b>Chapter 16</b> of the <b>ES [REP1-003]</b>.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
5.8	Compensation	<p>It is not evident that the proposal has given sufficient weighting towards compensation that would potentially be payable to category 3 individuals recorded in the Book of Reference. Without including these costs and a funding solution, it is not possible to assess the financial viability of the proposal.</p> <p>A noise abatement scheme is not adequate compensation for any of those individuals living in the vicinity of the airport who will be adversely impacted by the proposed expansion included in the 2000 pages of Part 2 of the Book of Reference version 3.02, let alone the limited numbers who live within the noise contours eligible for relief.</p> <p>Whilst there is a route for the Category 3 individuals to make a s57 claim under the relevant sections of the Planning Act or Acquisition of Land Act the cost to the Applicant of such claims does not seem to have been factored into the cost of development: there is either a tacit assumption that these persons will not claim or that the process is such that these claims will not be successful.</p>	<p>The Applicant includes in its <b>Funding Statement [REP5-009]</b> the estimated cost of compensation payable to Category 3 individuals which are recorded in the Book of Reference.</p> <p>Similarly, an estimate of the cost of the proposed Noise Insulation Scheme is included in <b>Table 2</b> of the <b>Funding Statement [REP5-009]</b></p>

**6. Stop Luton Airport Expansion [REP6-144]**

6.2	Surface access /Wigmore Valley Park and Open Green Space	<p>7 examples of some desire paths.</p>  <p>1. Eaton Green Road, OS Grid Ref: TL 12183 22208 </p> <p>2. Eaton Green Road, OS Grid Ref: TL 12288 22226 </p> <p>3. Eaton Green Road, OS Grid Ref: TL 12790 22259 </p> <p>4. Eaton Green Road, OS Grid Ref: TL 12946 22232 </p> <p>5. Darley Lane, OS Grid Ref: TL 13385 22349 </p> <p>6. Darley lane (opp Olivers), OS Grid Ref: TL 13456 22358 </p> <p>7. Winch Hill, OS Grid Ref: TL 13714 22112 </p>	<p>The forecast traffic volumes on the sections of roads mentioned are not considered significant enough to warrant the provision of improved pedestrian crossings on safety grounds. However, the <b>Strategic Landscape Masterplan [APP-172]</b> is an illustrative document showing one way in which the replacement open space could be laid out and will be subject to detailed design. The replacement open space has been located to be accessible to the adjoining communities it serves, and a range of users would be encouraged to make use of the space, through increased accessibility and enhancements.</p>
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I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>SLAE have found no references to pedestrian crossings on Eaton Green Road, Darley Lane or Winch Hill when the application reaches the implantation phase two and road traffic is forecasted to reach peak volumes, however there is plenty of road traffic crossing evidence at junctions that is related to terminal and the Airport Access Road. This suggests that pedestrian access to the park is not a priority to Luton Rising.</p>	
6.3	Surface access / Wigmore Valley Park and Open Green Space	<p><b>000810-5.10 Strategic Landscape Masterplan.pdf</b></p> <p><b>SLAE Comment.</b></p> <p>SLAE ask for clarification on the thin white lines as shown on the Paths &amp; Public Rights of Way map, on page 17? Are these desire paths or contour lines?</p> <p>On the same map, the new and improved entrances to the replacement Open space (D on the Paths &amp; Public Rights of Way map as shown may attract airport related car parking as identified in the Written Representation, 'Wigmore Valley Park' <b>001102-5.01 Environmental Statement Chapter 4 The Proposed Development Revision 1.pdf 4.10 Work Type – Highways,</b> “</p> <p>SLAE note that will be insufficient car parking provision around the new areas or / country lanes around Wigmore Valley Park and cannot find any mention of the issues that will be caused or what will be done to alleviate these in the future. For example, Uber cars already park on the pavement and grass areas leading to Wigmore Valley Park waiting for a possible fare to book a lift via the Uber app system. This will spread onto roads surrounding the park such as Eaton Green Valley Road, Darley Lane and Winch Hill along with the lanes leading to Tea Green. Uber cars and similar park in / on any available space within ten minutes of the airport pick up to be able to react to requests.</p>	<p>The white lines on the Paths &amp; Public Rights of Way map in the <b>Strategic Landscape Masterplan (SLMP) [APP-172]</b> are contour lines.</p> <p>The Applicant has been in discussion with Luton Borough Council regarding parking issues associated with airport users. Please see Luton Borough Council's response on this matter in their post-hearing submission response to ISH7 Action Point 18, page 4 <b>[REP6-105]</b>.</p>
6.4	Public Rights of Way and open space	<p><b>000817-7.02 Transport Assessment - Part 2 of 4 (Chapters 5-8).pdf</b></p> <p><i>Pedestrian facilities</i></p> <p><i>5.4.15 Pedestrian facilities are provided within the airport to meet operational needs. Under the current arrangements, within the terminal area, all pedestrian routes are fully accessible, with dropped kerbs and tactile paving. Zebra crossings are provided at busier locations, and there is lighting throughout the area. Footways and crossings are also provided on Airport Way, Percival Way, President Way and Frank Lester Way as well as other roads within the estate, which link into the wider pedestrian network in Luton.</i></p> <p><i>There are also several Public Rights of Ways (PRoWs) located within the airport, including:</i></p>	<p>The PRoWs referred to are existing routes within the vicinity of the proposed Terminal 2, within the existing Wigmore Park area and the proposed area of replacement parkland. The routes as described are shown within <b>Figure 5.10</b> of the <b>Transport Assessment [AS-123]</b>.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>a. Public bridleway Kings Walden 052, which connects between Coleman's Road (near Breachwood Green) and Eaton Green Road, and partially serves as a section of the Chiltern Way long distance footpath</p> <p>b. Public footpath Kings Walden 041, which borders Darley Road and Eaton Green Road, and also partially serves as a section of the Chiltern Way long distance footpath</p> <p>c. Public footpath Kings Walden 043, which crosses the ridgeline of Winch Hill and connects between Eaton Green Road and Winch Hill Road</p> <p>d. Luton Borough public footpaths FP29 and FP38, and Luton Borough bridleways BW28 and BW37, which follow the mature hedgerow to the south east of Wigmore Valley Park and east of the airport between Eaton Green Road and Winch Hill Road</p> <p>5.4.16 The PRow routes in the immediate vicinity of the airport are shown on Figure 5.10.</p> <p><b>SLAE Comment.</b> Assumption is that the 'estate' means the 'Proposed Development Boundary'. Similarly, the statement that "There are also several Public Rights of Ways (PRow's) located within the airport", is not correct as these PRow's are not located within the airport but are in the 'Proposed Development Boundary'. In fact, this statement contradicts the paragraph in bullet point d.</p>	
6.5	Public Rights of Way and open space	<p><b>000937-5.01-Environmental-Statement-Chapter-8-Biodiversity-Revision-1.pdf</b> <i>Assessment Phase 1</i></p> <p>8.9.88 <i>The operation of the provision of open space will introduce additional recreational pressures into the retained area that supports orchid populations. Such pressures may include trampling and a change in soil pH due to nitrification through dog urine. The orchids are located within what is currently an area of set-aside on the southern edge of an arable field to the south of Wandon End. An existing public right of way runs through this area, however the footfall will increase once the provision of open space is established. The provision of open space has been designed to include defined footpaths and signage to channel the public away from sensitive retained habitats, and this will reduce the impact on the orchid population, however it is anticipated that an impact will remain.</i></p> <p><b>SLAE Comment.</b> Will defined footpaths and signage discourage Desire paths? Has this been considered in the design, particularly as Desire paths exist in this area? Surely defined footpaths should be built where desire paths currently exist?</p>	<p>The <b>Strategic Landscape Masterplan [APP-172]</b> is an illustrative document showing one way in which the replacement open space could be laid out. The final layout of the replacement open space will be subject to detailed design. However, the replacement open space has been located to be accessible to the adjoining communities it serves, and a range of users would be encouraged to make use of the space, through increased accessibility and enhancements. Public access within the replacement open space would be encouraged through the resurfacing and in some instances upgrading of existing Public Rights of Way and through the creation of new surfaced paths.</p>
6.6	Land and compensation	<p><b>001530-London Luton Airport Limited - Comments on Relevant Representations (RR) 5 (Affected Persons).pdf</b></p> <p><b>SLAE Comment.</b> SLAE note that LR will compulsorily purchase hedges and the ability to impose restrictive covenants to secure the retention and maintenance of</p>	<p>The powers sought in the DCO and being referred to relate to the requirement for the Applicant to provide landscape mitigation to screen the Proposed Development from properties in the countryside and for those using footpaths and other rights of way in areas near the Proposed Development.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>new hedge planning if landlords do not play ball. This appears to be overkill and is outside the 'Proposed Development Boundary' though within the 'Order Limits'. Confused why? Is this to safeguard future possible development beyond the DCO?</p>	<p>The powers being sought are not for compulsory purchase but for the acquisition of rights only which would enable the Applicant to enhance existing hedgerows, plant new hedgerows and then protect and maintain them through to maturity.</p>
6.7	Land and compensation	<p><b>001898-8.53-Applicant-post-hearing-submission-CAH1.pdf</b></p> <p><i>7.1.6 The Applicant clarified that the proposed replacement land has been managed for a number of years to reduce historic nutrient levels resulting from farming. The Applicant agreed to look into any potential existing informal use of the land by members of the public, noting that the land is crossed by formal public rights of way.</i></p> <p><b>SLAE Comment.</b></p> <p>SLAE do not agree that the land has been managed for a number of years, in September of 2021 SLAE informed Luton Rising of litter and fly tipped rubbish that had laid on LR / LBC owned land for months prior. SLAE used the litter reporting tool 'Love Clean Streets' to report the rubbish to LBC multiple times, who ignored the reports, as the tool could not identify the difference between the council and the landowner. In fact, In November 2021 LR arranged for SLAE to go out with Accuro Environmental to show them the places on LR land where the litter and fly tipped rubbish was. If the land had been managed there would have been no need for this. Accuro informed SLAE that LR had asked them to perform monthly patrols of the LR land, which since that time has now changed to two monthly visits. If the land was managed, then SLAE would not have had to struggle to make LBC take action and LR to set up site visits. SLAE can submit email evidence to validate all statements made in this paragraph.</p>	<p>The land proposed as replacement open space has been appropriately managed for its intended future use. This includes leaving fallow or sowing of wild flower mix (the latter for land previously set aside to Green Horizons Park), allowing vegetation to grow which allows nutrient uptake as agricultural land would have been treated with fertiliser that needs to be reduced for future habitat proposals, and periodically (once or twice a year) cutting to allow the above process to continue. This early preparation and minimal intervention is an important part of the management process and entirely appropriate for the intended use as open space or habitat.</p> <p>The Applicant acknowledges and thanks SLAE for the assistance provided in removing fly tipping and highlighting and accepting that ongoing periodic review is being undertaken by the Applicant which is an appropriate management action that has taken place. The Applicant suggests that SLAE continue to report fly tipping concerns to the council responsible should they encounter more and does not consider that any further evidence is required.</p>
<b>7. Joseph Kelly [REP6-150]</b>			
7.1	Compensation and blight	<p>Clearly there will be blight and residents and businesses need to be compensated. As this is a direct cost of the development, the cost of compensation must be factored into the development and not ignored in order that the NPV of the project can be more accurately determined. I don't see how it can be done retrospectively especially. I question whether the NPV would be positive if these costs are fully factored in.</p>	<p>An estimate of the cost of property acquisition and compensation that would become payable as a result, is factored into the overall funding for the Proposed Development. This is set out in the <b>Funding Statement [REP5-009]</b>.</p>
7.2	Need case, Employment and Economic s & Economic Growth	<p>"Expansion supports levelling up agenda": Not true over 30% of the flights are private jets, most of the other flights are tourism – both result in a net outflow of wealth from the UK. Research from the New Economic Foundation (<a href="https://neweconomics.org/uploads/files/NEF_Losing-altitude.pdf">https://neweconomics.org/uploads/files/NEF_Losing-altitude.pdf</a>) highlights: New capacity flows to "a small and wealthy subset of the British population while, each year, around half of British residents do not fly at all"; "the welfare benefit must now be offset against welfare losses resulting from greater environmental damage; these are substantial, as NEF has shown in prior work.</p> <p>As a sector, air transport supports a large number of British jobs, but the amount of employment created by growth has been diminishing over time.</p>	<p>The Applicant does not agree that the expansion would not support the levelling up agenda given the strong economic benefits to Luton and other areas in need of levelling up as demonstrated in the <b>Need Case [AS-125]</b>.</p> <p>As set out at paragraph 6.5.12 of the Need Case, the Proposed Development does not include any expansion of facilities to support business aviation growth. Hence, it is assumed that the number of such movements will remain consistent with previous peaks of activity at c.30,000 annual aircraft movements. It is not correct, therefore, to say that most of the benefits will flow to the wealthy. A key benefit locally is in terms of job creation which will benefit those living in poverty and in need of employment (see also the response at ID 8.3).</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>The sector is, in fact, one of the poorest job creators in the economy per pound of revenue. It has achieved productivity growth through automation and efficiency savings, so much so that the rapid rise in passenger numbers seen between 2015 and 2019 was not sufficient to return direct employment to its pre-financial crisis peak in 2007. Productivity growth in air transport has not translated into increased wages; after considering inflation, wages in air transport were significantly lower in 2022 than they were in 2006. This wage squeeze has been felt exclusively by middle and lower-paid workers, with real wages at the top seeing real-terms growth. Overall, between 2008 and 2022, air transport saw the largest real terms pay decline of any sector in Britain and therefore worsened the country's wider wage stagnation problem. The gains of productivity growth have accrued to higher-paid staff and shareholders."</p> <p>In relation to benefits to the UK tourism industry, the report writes: "domestic tourism expenditure had stagnated and instead, flows of cash were headed overseas as household spending patterns shifted towards foreign holidays. The net national effect is a large travel spending deficit which contributes to the UK's overall current account deficit." "In terms of regional impact: London and the Southeast see a travel spending surplus thanks to their receipt of the lion's share of foreign tourist spending. The UK's wider (and on average poorer) regions have seen their already significant travel spending deficits grow rapidly. To compound this trend, cash returning to the UK in the form of foreign direct investment also concentrates heavily in London and the Southeast. The current dynamics of British air transport are likely pushing against the government's levelling-up agenda and domestic tourism objectives, yet these dynamics are actively encouraged by government taxation policy, which provides a competitive advantage to overseas holidaying." This also highlights if there is any argument for expansion it should be in northern parts of the UK and not the south where there are already 3 very large airports.</p> <p>Continuing with the levelling up agenda and jobs generation – "studies do not identify a causal link running from air capacity growth to economic/jobs growth in the UK. Furthermore, there are several comparable case studies, particularly from Germany, which highlight contexts in which air capacity growth can be detrimental to a region's economic wellbeing, particularly when it comes to smaller regional airports. This is not the first time the conditionality of air transport's economic benefits on business travel and net positive tourism effects (both of which are absent in the UK in 2023) have been flagged. These were shared with the DfT in a report by academics from Leeds University in 2018,2 but the ramifications for modern air transport policy and planning appraisal appear not to have filtered through." Most jobs created at Luton Airport are low paid jobs – cleaning, hospitality, security etc</p>	<p>Furthermore, it is not correct to characterise most of the flights at the airport as being related to outbound tourism. As shown in Figure 5.9 of the Need Case, UK residents travelling for purely holiday purposes accounted for no more than 26% of passengers using the airport in 2019.</p> <p>The points made by NEF referred have been fully addressed in the <b>Applicant's Response to Written Representations – Part 4 – Appendix (NEF) [REP2-038]</b>.</p> <p>The remaining points made are direct quotes from NEF, which have already been responded to. The Applicant does not accept that most jobs created at the airport are low paid as the evidence set out in the Oxford Economics Report at <b>Appendix 11.1</b> to the <b>ES [APP-079]</b> shows that salaries of those working at the airport tend to be higher on average compared to those in the workforce overall.</p>
7.3	Health and Community	<p>Growth in air traffic implies a significant transfer of welfare from the majority, who suffer the ill effects of greenhouse gas emissions, noise, and reduced air quality, to a wealthy minority of frequent flyers. Narratives around job</p>	<p>This point was addressed in responding to the New Economics Foundation's D5 response at points 38 and 39 <b>[REP6-063]</b>. It is incorrect to characterise passengers using London Luton Airport as wealthier than those in the surrounding area.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		creation in air transport often confuse the current footprint of aviation with the relative merits of growth.	
7.7		"The airport makes significant charitable donations and contributes to significant ESG benefits" – the accounts for LLA show contributions of a mere £7.4m (down 11% on the previous year). Of these only £3.5m were to charities not associated with leisure & culture. This is not a significant sum in the context of the needs they are seeking to address.	The Applicant disagrees with this statement and considers the millions of pounds per annum provided to local charities and voluntary sector organisations is a substantial sum. Further, the Applicant notes that through its Community First proposals this sum will grow considerably, by up to an additional £13m per annum.
7.8	General Environment	The pollution, environmental damage and detrimental economic effects (refer to report from the New Economic Foundation) greatly outweigh these contributions.	The Environmental Statement (ES) reports the findings of the Environmental Impact Assessment undertaken and submitted as part of the Application in compliance with the EIA Regulations. The ES reports both adverse and beneficial effects of the Proposed Development on the physical environment and economics and employment. The Applicant believes that the benefits outweigh the adverse impacts, but all the information on effects is provided for the Examining Authority to make recommendations and the Secretary of State to consider in the planning balance and make a decision on whether to grant consent.
7.10	Funding Statement	Luton Council are risking public services by funding commercial development – in its latest accounts, the airport reports that it has drawn £491m from Luton Borough Council – this takes away funds from the citizens of Luton and puts at risk future services. The Council is significantly exposed to risk should the airport not be able to repay these loans and speculating via commercial investment goes beyond the expertise and core responsibilities of local authority.	Finance provided to the Applicant by its shareholder Luton Borough Council is in the form of secured debenture loans. The Council borrows money at relatively low interest rates and lends this to the Applicant at market rates which include a premium to reflect the risks associated with the loans.  Consequently, the Council makes a financial return from this arrangement which is used to fund services. The main objective of the Council is to regenerate the local economy and create jobs which is central to the delivery of the Luton 2040 Vision. The money borrowed does not come from the Council's revenue budget and hence does not take anything away from the citizens of Luton.
7.11	Need case and Employment	Luton has always to be too exposed to one large employer and needs to diversify – historically this has been Vauxhall which has been a major employer in previous decades. The airport is not the largest currently employs 800 directly and another c3,000 indirectly (not the 27,000 referred to by Luton Rising). Luton needs more diversification and needs to attract other businesses, so it is less exposed to one industry.	The figure of 27,000 jobs supported by activity at the airport is an early estimate (2019 PEIR) of the total number of jobs across the UK supported by activity at the airport.  The updated estimate of the effect is 28,400 jobs supported by the airport across the UK ( <b>ES Appendix 11.1 [APP-079]</b> ). The ES is clear about the number of jobs supported locally. Expansion of the airport will assist Luton to attract new businesses for the reasons set out in the <b>Need Case [AS-125]</b>
7.12	Employment / Noise and vibration	The business park at Capability is directly under the flight path and employs thousands of employees but if the airport were to expand these jobs are at risk as it likely that working there would become more intolerable and untenable.	Aircraft noise has been assessed in <b>Chapter 16</b> of the <b>ES [REP1-003]</b> and no significant effects were identified. Capability Green is currently affected by aircraft noise and individual aircraft movements may affect working conditions. Whilst the number of movements may increase, noise from individual aircraft is unaffected by the proposed expansion and reduces in future due to the continuing increase in new generation aircraft operating at the airport. Consequently, noise conditions in Capability Green buildings would be unchanged and there would be no risk to jobs due to the proposed expansion.
<b>8. Andrew Mills-Baker [REP6-151]</b>			
8.1	Funding Statement	The Executive Summary states " <i>this Funding Statement confirms that, based on the cost and revenue projections, the Proposed Development is capable of being funded from the net income derived from operating the airport</i> " it goes on to say that there is a ' <i>reasonable prospect</i> ' of the requisite funds for acquisition becoming available'.... And ' <i>gives as much information as is possible about the resource implications of implementing the project</i> '.	The Applicant disagrees with this statement and considers that the <b>Funding Statement [REP5-009]</b> provides more than adequate information to meet all the requirements for such a document and compares favourably against other Funding Statements for projects of a similar size.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		I don't accept that the information contained in a very short and top-level summary document provides appropriate support for such statements. I would contrast the relative brevity and lack of detailed analysis in this document, to the many thousands of pages that have been submitted by the Applicant in other areas. I am also aware that many other DCO's provide much more detailed and comprehensive financial summaries with details of key assumptions and best case/worst case.	
8.2	Funding Statement Planning	<p>The Applicants recent track record of completing capital projects on time and on budget is not good. ExA are aware of the near 50% cost over run on the DART project, £200m ended up at £300m. In addition, the net revenue calculations reviewed by the Auditors resulted in a £220m write down in the carrying value of the asset. The DCO project is far more complex and riskier with a capital budget well over 10 times the cost of DART.</p> <p>I also question what exactly does the term "reasonable prospect", of the availability of funding, mean. My view is that it does not provide any assurance that appropriate funding will be obtained, especially for the second stage.</p>	<p>The Applicant acknowledges that the construction of Luton DART experienced delays due to technical difficulties which were compounded by the construction occurring during the Covid 19 pandemic and the restrictions resulting from that. At the time construction inflation was at a particularly high level and the delays, and this exceptional set of circumstances led to cost increases which were higher than might ordinarily be the case. The Applicant has taken lessons learned from the experience and will use these to inform future projects to be delivered by the Applicant. The circumstances of the DART's implementation should not in any way be taken as a suggestion that the Applicant cannot deliver future projects on time and to budget.</p> <p>Notwithstanding the above, the Applicant notes that delivery of the Proposed Development would be brought forward by other parties. The preferred funding approaches for Phase 1 and Phase 2 are both private-sector driven, as explained further in Question 8.5, and evidenced by the strong letter of support in Appendix C of the <b>Funding Statement [REP5-009]</b>. In fact, the majority shareholder of the existing concessionaire is the world's largest airport management company by passenger volume and has managed more than 100 building programmes.</p> <p>Paragraph 9 of the Department for Communities and Local Government Guidance (DCLG) on Compulsory Acquisition states "<i>The applicant must have a clear idea of how they intend to use the land which it is proposed to acquire. They should also be able to demonstrate that there is a reasonable prospect of the requisite funds for acquisition becoming available.</i>" This is the test we have applied, evidencing that the Applicant will have more than sufficient free cash to pay for all the land compensation.</p>
8.3	Funding Statement Employment	Para 1.1.4 what is the support for 10,900 new jobs? I assume that a good many of these jobs are minimum wage, not full time and in the case of air crew not necessarily based locally or even in this country. Some may only exist during the construction phase.	The reference in the <b>Funding Statement [REP5-009]</b> to refers to the number of direct jobs at the airport in 2019. As set out in the Oxford Economics Report at <b>Appendix 11.1</b> . of the <b>ES [APP-079]</b> , the average salary across all jobs at the airport is higher than other jobs in the local area. The estimates of employment take into account matters such as whether aircrew are based in the UK or not and do not include staff not based at the airport. Construction related employment is reported separately in <b>Chapter 11</b> of the <b>Environmental Statement [APP-037]</b> and no construction related employment was included within the 10,900 jobs figure reported in 2019.
8.4	Funding Statement Surface Access Economics	1.1.5 I don't accept that Luton supports the broader economic development of the Oxford – Cambridge Arc. In terms of air travel, the main airports already well connected to the arc are Heathrow and Stansted. The current rail and road links to both cities from Luton are currently either non-existent or poor.	This position is contradicted by England's Economic Heartland <b>[REP1-057]</b> .
8.5	Funding Statement	I do accept 2.2.6. that phase one of the project, cost c£350m, could be financed through an extension of the current concession period with the existing operator. The overall project revenues are shown over a 50-year period for the project and appear to include the revenues of the current concession operator for the next 10 years. The free cash flow, that accrues	<b>Table 5</b> of the <b>Funding Statement [REP5-009]</b> presents the net surplus cash flow available for concession fees, financing the airport expansion and paying corporation tax. Therefore, it represents the net cash flow for the airport operator plus the Applicant's concession fees, not cash flows that will solely accrue to the current (or future) operator.



I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>to them for this period will not go to LR. We are not given any insight as to how long the concession period needs to be extended for the existing operator to put up £323 million. In addition, if say, the increase in concession is five years, how is this then dealt with for the second stage?</p>	<p>The Applicant and the airport operator are in ongoing discussion about the delivery of the expansion proposals. Whilst negotiations remain commercially confidential, the option being discussed is a concession extension, and following the delivery of Phase 1 a new long-term progressive partnership Joint Venture is expected to be established between the two parties. The progressive partnership is in line with the approach outlined for 4.4.1.(b) of the <b>Funding Statement</b>.</p> <p>Whatever the commercial relationship between the parties, it will provide for the delivery of the expansion works broadly in line with the programme set out in the application for development consent.</p> <p>The above two-step approach is confirmed at Appendix C of the Funding Statement, in which the airport operator states:  <i>“If we reach agreement with the Applicant, it will enable us to put in place the required funds to deliver Phase 1 works. Having delivered this critical initial investment in LLA, our intent is to work with Luton Rising and LBC, via a progressive partnership, to deliver the longer-term vision for LLA, including Phase 2 of the DCO.”</i></p>
8.7	Funding Statement	<p>2.2.8 and 4.1.6 refer to £22bn of free cash flow, for a 50-year period to 2072. Not only does it include concession income that belongs to the airport operator until at least 2032, it is an inflation adjusted figure and double the amount calculated at current prices. This gives a false impression that there is more than ample free cash flow to service and repay debt, as well as offer an appropriate return to both the investors and LBC. This is because, whilst the asset life may stretch to 50 years, borrowing terms and returns to investors are unlikely to extend beyond 25 years.</p>	<p>The Applicant does not accept the points made:</p> <ul style="list-style-type: none"> <li>• The concession fee income does not belong to the airport operator. As explained in Question 8.5 above, the identified Paragraphs and Table 5 in the <b>Funding Statement [REP5-009]</b> include the total net surplus cash flow that is available for financing the scheme, paying tax and concession fees.</li> <li>• All cash flow based financial models work in nominal (inflation adjusted) terms as all income is in nominal terms and all costs are in nominal terms, including interest payments on actual monies borrowed and tax payments.</li> <li>• With a 40-year (or longer) Phase 2 concession, and lenders offering 25-years terms an appropriate debt / equity financing solution can be found to satisfy lender requirements. Further, debt longer than 25-years is available in the markets, and refinancings during a concession are also common.</li> </ul>
8.8	Funding Statement	<p>I accept the logic of looking at the revenues and expenditure from an operator's position. However, I question the level of the annual free cash flow as to whether it contains concession expenditure, and other payments that would be due to LR as the freeholder. I am not able to reconcile apparent margins in the forecasts to the filed annual accounts of LLAOL. Therefore, I am not convinced with the statement in 4.1.4 “the financial viability of the proposed development is robust to changes in key underlying assumptions.</p>	<p>As stated in the response provided at 8.5 above, the net cash flows in Table 5 of the <b>Funding Statement [REP5-009]</b> are the monies that are available for financing the scheme, paying tax and paying concession fees. The exact allocation of these monies between the Applicant and the operator will depend on the final Phase 1 agreement and then the macroeconomic conditions and agreed funding approach for Phase 2. Nonetheless the analysis clearly demonstrates that the airport is a lucrative business that is attractive to investors and capable of meeting the costs of its expansion.</p> <p>In response to the comment about financial viability:</p> <ol style="list-style-type: none"> <li>a) A detailed commercially confidential Assumptions Book has been prepared by experienced project advisers and with input from the operator, with the commercial in confidence financial model being stress tested against a range of different financing assumptions and interest rates. Due to the size of the surplus cash flow, the model passes all the ranges considered.</li> </ol>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
			b) The Applicant is negotiating a concession extension with the existing operator who has also taken a positive view of the scheme, as evidenced by its letter of support in Appendix C of the Funding Statement.
8.9	Funding Statement	<p>I believe that a more prudent approach would be to assess the DCO project capital expenditure against modelled incremental revenue and expenditure.</p> <p>Table 6: This summary is unhelpful as there is little connection between a relatively small leisure-based airport and a list of major international airports. The only UK comparison is Manchester Airport, where the total spend is under £500 million. 4.2.2 I am not convinced that the informal market soundings to establish interest in financing a substantial project that doesn't start for nearly 10 years have much credibility.</p>	<p>The Funding Statement assesses the financial viability of expansion, being the ability of the airport as a business to fund the costs of its own expansion. The analysis demonstrates that it can do so.</p> <p>In response to the point about the Manchester project being much smaller than the Proposed Development:</p> <ul style="list-style-type: none"> <li>The £360m (US\$440 million) of finance for the development at Manchester Airport only refers to the current 2023-25 phase of its Terminal 2 transformation programme, part of which is already complete. The total Terminal 2 expansion programme was originally costed in 2015 at £1.3 billion; and</li> <li>The entire Manchester Terminal 2 project is being carried out over a much shorter timescale than the Applicant's gradual approach to organic growth.</li> </ul> <p>Thus, the Manchester Airport expansion, along with other aviation projects, represents evidence of a willingness to finance major airport projects globally and in the UK.</p> <p>The response provided at ID 15.25 provides more context about the validity of market soundings.</p>
<b>9. Janet Ingham [REP6-149]</b>			
9.1	Soil (Environment)	<p><b>000937.5.01 Environmental Statement Chapter 8 Biodiversity Revision</b></p> <p><b>8.9.88 Assessment Phase 1</b></p> <p>I would like to query the assumption that there maybe nitrification of the soil as a result of dog urine. Where is the evidence for this? Male dogs cock their legs on tall sturdy trees etc, whereas orchids are always short and any amount reaching the soil underneath would be infinitesimal.</p>	<p>Section 8.9.88 of <b>Chapter 8 the Environmental Statement [AS-027]</b> identifies potential pressures on the key feature in question, in this case orchids. These include potential negative effects from increased footfall and dog use. Effects are identified in the absence of mitigation. This is subsequently presented in section 8.10, including operational phase management of orchids (8.10.17).</p>
9.2	Wigmore Valley Park Soil	<p>The several specific areas in the current Wigmore Park where the orchids grow in abundance have paths used by dog walkers and others with orchids growing undisturbed on either side of the paths. These areas are in general low grass, chalky, and populated by rabbits who appear to be attracted to the same soil type area.</p>	<p>Noted. The Applicant has committed to pre-construction orchid surveys ahead of translocation as detailed in section 4.2 of the <b>Ecological Mitigation Strategy for Orchid and Invertebrates [AS-035]</b>. The surveys for orchids will include observations of growth habits and surrounding grassland heights to guide future management of translocated, retained and newly establishing populations.</p>
9.3	Soil (Environment)	<p>In the opinion of soil scientists the lasting effects of residual pesticides, used over many years on the ex-farmland proposed replacement park, has the effect of killing the very bacteria and fungal balance which is essential for orchid proliferation.</p>	<p>Noted. The Applicant has committed to soil surveys ahead of translocation as detailed in section 4.2.5 of the <b>Ecological Mitigation Strategy for Orchid and Invertebrates [AS-035]</b>. As detailed in 4.3.9, receptor site 1 already supports one species of orchid, indicating suitability for translocation.</p>
9.4	Biodiversity	<p><b>8.11.42</b></p> <p>I do find it very concerning that the last two sentences in this section feels it has to over stress the minimal disturbance to badgers. Where is the evidence for this.</p>	<p>This Section of the Environmental Statement uses a consistent assessment style for all receptors. Description of impacts and receptor value are then followed by summaries of effect and ecological significance, as detailed in Section 8.5 of <b>Chapter 8 of the ES [AS-027]</b>.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<ul style="list-style-type: none"> <li>• Very low impact</li> <li>• Low value receptor</li> <li>• Residual negligee effects</li> <li>• Not significant</li> </ul>	<p>The Applicant maintains that the measures included here to reduce disturbance effects on badgers in the operational phase are proportionate, as detailed within <b>the Badger Mitigation Strategy [APP-069]</b>.</p>
<b>10. Alison Mitchell [REP6-152]</b>			
10.1	Equality Impact Assessment	<p>Equality Impact Assessment I wish to speak on behalf of the young, the old and ethnic groups who will be adversely affected by noise for the short and long term over a wide geographical area. The Equality Impact Assessment identifies the adverse impact of noise on health of groups recognised under the Equality Act - Children under 16, older people, babies, pregnant women, and foetuses, and particular ethnic groups. However, it provides no mitigating actions. The document simply states that there will be impacts and nothing more. The absence of recommended mitigations is very troubling in terms of the legislation.</p> <p>I do not consider that the information fulfils the expectation that 'the effects of the Proposed Development in relation to human rights and equality duties are matters that will be taken into account as overarching or integral components of the initial assessment of principal issues by the Examining Authority when they consider the application.'</p> <ol style="list-style-type: none"> <li>1. I am pleased the examination has asked for more details</li> <li>2. I request that the full details are made public and opened for further consultation as the assessment is not comprehensive enough to map out meaningful specific impact mitigations</li> </ol> <p>More evidence needs to be provided</p> <ol style="list-style-type: none"> <li>3. It was not clear who was consulted, including demographics, geographical area and numbers involved.</li> <li>4. It was also not clear whether the analysis considered both construction in the local area in the relatively short term, and for the longer term along the flight path as capacity increases.</li> <li>5. Increased air traffic noise will adversely affect people in these protected groups with resultant long term physical and mental distress. This health problem will not go away with time.</li> <li>6. I have seen children clasp their ears and run indoors away from aircraft noise. There needs to be consideration of noise impact in relation to rural low ambient noise.</li> <li>7. A wide geographical view of the affected population, under the flight paths should be undertaken for full 24-hour periods.</li> <li>8. There needs to be proposed mitigation steps for the long-term impact of noise on these identified groups.</li> </ol>	<p>Groups with protected characteristics (as defined in the Equality Act 2010) are considered in the <b>Equality Impact Assessment (EqIA) [AS-129]</b> and vulnerable groups are considered in the Health and Community impact assessment provided in <b>Chapter 13 of the ES [AS-078]</b>.</p> <p>These documents provide adequate information and are compliant with the respective requirements of the Act and the Infrastructure Planning (EIA) Regulations 2017 (the EIA Regulations). Section 3.6 of the EqIA is titled 'Mitigation Measures' and describes the relevant mitigation measures with appropriate cross referencing, as do sections 13.9 and 13.1 of ES Chapter 13. Each report also has sections describing the consultation and engagement undertaken in preparing the document, including statutory consultation as required.</p> <p>Section 4 of the <b>Equality Impact Assessment [AS-129]</b> includes a baseline assessment outlining the study area (geographical scope of the assessment) and demographic profile of the study area.</p> <p>Section 7 of the <b>Equality Impact Assessment [AS-129]</b> outlines the assessment of effects on groups with protected characteristics across both construction and operation where appropriate.</p> <p>The effects of aircraft noise on health outcomes is assessed in <b>Chapter 13 of the ES [AS-078]</b>. The assessment is undertaken for the whole exposed population in accordance with Defra guidance. The assessment uses exposure response functions that are based on research using large study populations that include sufficient representation of the population including vulnerable groups and children. Paragraph 13.9.73 notes that the receptor population includes a wide range of communities with varying levels of social deprivation and health status.</p> <p>The aircraft noise assessment considers noise exposure over the full 24 hour period.</p> <p>The impact of noise (day and night) from the Proposed Development has been assessed and all reasonably practicable mitigation measures have been explored to reduce noise impacts. Further details can be found in <b>Chapter 16 Noise and Vibration of the ES [REP1-003]</b>.</p>

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		9. There is no blanket mitigation, and such a large-scale development needs to consider a matrix of circumstances.	
<b>11. John A Smith [REP6-157]</b>			
11.2	Traffic and Transport (Rail) Forecasts	<p>TRAFFIC AND TRANSPORT - RAIL 1).</p> <p>Table 2.1 states that the Applicant expects the number of passengers to rise by only 980 in the morning peak (6.00am - 9.30am), if passenger numbers rise from 18million per annum to 32million, which has got to be vastly understated, with an estimated 7,261 arriving passengers, which means 6,281 would travel by road. This does not make sense and blows a hole in the Applicant's claim for "Sustainable Transport". In addition, the forecasts make no comment nor allowance for the passengers' luggage - where will it go? The new Thameslink 700 trains have more standing capacity, but are not built for volumes of holiday luggage, there is not enough room.</p>	<p>The numbers stated here do not accurately reflect the calculation undertaken. Mode share for rail is set to grow from 21% to 27%. The capacity assessment is also focused on the St Pancras to Luton Airport section rather than total rail demand and there remains a strong bus and coach market for airport passengers with 18% of future passengers expected to use bus and coach which doesn't appear to have been accounted for. Please refer to the <b>Transport Assessment [APP-205] Table 9.5: Passenger mode split (person trips)</b>.</p> <p>The Luton Airport Express has also been introduced in addition to Thameslink which is likely to significantly attractive to Airport Passengers, in particular those with Luggage.</p> <p>With airport expansion as set out in the <b>Transport Assessment Appendix H [APP-202]</b> forecast airport passengers will only represent between 8-17% of rail passengers on Thameslink.</p>
11.3	Traffic and Transport (Rail) Forecasts	<p>Furthermore, the Applicant has not taken into account the substantial housebuilding programme in locations near to the Thameslink rail stations - St Albans, Harpenden, Luton, Leagrave, Harlington, Flitwick, Ampthill and Bedford. People move to these areas for a number of reasons- chiefly, for the ability to commute to London for work, and to get direct services to both Luton airport and Gatwick airport and now, with the opening of the Elizabeth line, easier access to Heathrow airport. Harpenden itself is facing the prospect of 1,700 new homes being built, which will result in greater demand for the rail services on Thameslink, mostly at peak times and weekends.</p>	<p>The background demand forecast takes into account growth with 3.1% annual growth based on 2018/19 levels of rail demand. This was based on average demand growth prior to 2018.</p>
11.4	Surface Access Forecasts	<p>The passenger forecasts within REP5-057 are vastly understated and need to be challenged and more realistic figures put forward, taking into account growth in non-airport passenger numbers as well as a more sensible assessment of airport passenger numbers using the rail system.</p>	<p>Non-airport demand growth is taken into account in the forecast. The forecast includes a baseline background demand and future growth in non-airport passengers.</p>
11.5	Transport (Rail) Forecasts	<p>2). Hertfordshire County Council have given approval for the use of the former Radlett Airfield, North Orbital Road, St Albans, for use as a Strategic Rail Freight Interchange (SRFI). This will significantly reduce, or take away completely, any possible increase in the number of services on Thameslink and the East Midlands Express. Has the Applicant taken this into account when suggesting that expansion of rail services can be achieved? 3).</p> <p>REP5-057 states:                  2.5 Assessment of impacts                  2.5.1 Appendix H sets out the impact on airport passengers from the forecast growth in background demand related to the Proposed Development (both assessment Phases 2a and 2b) at the airport, as follows:</p>	<p>It is not expected that the Strategic Rail Freight Interchange (SRFI) impacts planned capacity as set out in the statement of facts between NR and the appellants not all existing paths are utilised all applications for additional paths will be subject to the standard industry-wide timetable planning process.(Ref<sup>4</sup>)</p> <p>The forecast increased in demand from the development is expected to be accommodated within the proposed capacity of the railway network.</p>

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		<p>a. In the AM peak there are available seats to accommodate passengers at Luton Airport Parkway station.</p> <p>However, there will not be many seats as standing seems to be the main option, and this does not address the overcrowding that would occur at Harpenden and St Albans - the regular, annual season-ticket commuters would be the ones that suffer as they try to catch their regular trains to work. Once again, this is a selfish, self-centred approach, without any concern for the surrounding areas, and the problem would be dumped on others.</p>	
11.6	Transport (Rail) Forecasts	<p>REP5-057 states:</p> <p>2.6.1 The assessment of rail impacts did not model individual services. This is due to: a. The medium and long-term nature of the forecast meaning that timetables are likely to have changes before the airport growth materialises, which will impact demand for individual services. This is a cop-out and needs to be addressed. Network Rail, Thameslink and East Midlands Railways must know the capacity that can be achieved on those rail lines, both now and in the future. They must undertake passenger forecasting themselves as new trains, carriages, development work, engineering, etc. have to be planned and budgeted for well in advance. Considering the rail system as it is, there must be little room for changes in rail timetables. b. The exact demand on each service from the airport would have significant variance over the year and between days; by looking at the average peak period this variance is reduced. Another cop-out. This work can and MUST be done. The peak times for airport passengers are, surely, holiday periods and the impact on the rail system needs to be assessed, including built-in contingency for delays and cancellations in trains and passenger build-up and congestion.</p> <p>c. Non-airport passengers can reassign between services if they prefer less crowded trains within the peak periods, therefore wider capacity can be utilised. This is an arrogant statement and, once again, self-centred. What are these so-called "Lesscrowded trains" within peak periods? So, regular Harpenden commuters, who pay a substantial amount of money for their annual season tickets, would have to change their lifestyles just to suit Luton airport and their passengers?</p>	<p>Whilst the summer period represents a busy period for aviation rail demand it also represents a lower period of demand for non-airport demand which is a far higher share of overall demand on the rail corridor.</p> <p>As the planning of the future rail network is undertaken over the medium and long-term this is subject to change and uncertainty. The timetable as set out in <b>Appendix H [APP-202]</b> represents the Applicant's understanding of future capacity on the network. Evaluating average peak periods is the normal practice for assessment of rail capacity.</p> <p>The rail capacity is evaluated at a corridor wide level as the demand for individual services are subject to changes in timetables and changing passengers' preferences.</p>
11.7	Traffic and Transport (Rail) Forecasts	<p>Point 2.7.1 states clearly that the Applicant has not evaluated the impact on other stations. This is a major omission and, once again, revealing the self-centred approach to this whole proposal. The Inspectors must demand that this is fully evaluated, and include Harpenden and St Albans.</p>	<p>The forecast low number of airport related passengers at Harpenden and St Albans compared to the scale of the stations during the peak period does not require detailed evaluation of station capacity.</p>
11.8	Surface Access Forecasts	<p>6). 5.1.2 Forecasting background demand growth was based on the data available in 2019 with future growth based on growth factors based on growth in prior years. Current expectations based on the fall in commuting demand due to changing working patterns as a result of the Covid-19 pandemic means future growth is likely to be lower than previously forecast. Previously forecast background growth was 3.1% per year resulting in a 109% growth by 2043. This is now becoming an incorrect assertion as the trend for remote working is slowly reversing. More banks and businesses, particularly in the City, are asking their staff to return to the office. In April 2023, JPMorgan Chase &amp; Co asked its managing directors to work from the</p>	<p>The change in rail demand as a result of changing work patterns during the Covid-19 epidemic was not included in the forecast of future demand but gives a wider context of rail demand. Despite the quoted references as of 2023 the data from DfT and ORR indicated commuter demand remains below 2019 levels and the number of passengers using Thameslink Q2 2023 (69m) remains below 2019 Q3 levels (92m)</p> <p>The background demand growth forecast of 3.1% based on pre covid demand remains above industry expectation for rail demand growth.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>office for five days a week. Also, new research into remote work and wellbeing has shown mixed results– in Microsoft’s 2022 "New Future of Work" Report, researchers found that, although remote work can improve job satisfaction, it can also lead to employees feeling “socially isolated, guilty and trying to overcompensate”. The negative effects have come as a surprise for some employees, who are now feeling the crush, realising remote work isn’t necessarily the wellness panacea it has been touted as. Contrary to the running narrative of a mass demand for remote work, some employees are actually choosing to switch into roles with an in-office component. From research showing that remote workers are putting in longer hours at their desk, to data suggesting that up to 80% of UK workers feel that working from home has negatively impacted their mental health, an increasingly complicated picture is emerging when it comes to the wellbeing of home-workers. One survey showed 81% of under-35s feared loneliness from longterm home working, and studies have showed heightened levels of stress and anxiety among younger workers since the shift to remote work.</p>	
11.9	Traffic and Transport (Rail)	<p>This important question has been raised several times and has never been addressed, and REP05-57 completely ignores it. What are the Contingency Plans if the whole rail system is down, or there are severe delays, which happens quite often and cannot be brushed-off with a quick comment such as "exceptional" and ignored? There are many reasons for delays and cancellations on the railway system and here are some of them - most of which I have experienced in my Thameslink commuting of over 30 years: Staff shortages, strikes, powerlines down, inclement weather – too hot, cold or windy, snow and ice, lightning strikes, flooding, leaves on the line, points failures, power failures, suicides, fatalities, trespassers or animals on the railway, flooding, broken or buckled rails, landslips, signal power failures, telecoms failures, track circuit failures, damage to overhead lines, bridge strikes, cable thefts, vandalism, lineside fires, overrunning engineering works, broken-down trains, speed restrictions, and, yes, a trampoline on the line in Harpenden, which happened to me on Sunday 9th February 2020, I remember it well. Also, all rail systems have to undergo regular engineering works and maintenance, which involves a complete shutdown, or severe reductions and restrictions in the service. From all the reports and papers withing the Application, there are NO Contingency Plans as to what to do with hundreds, if not thousands, of airport passengers, their luggage and families, if the rail system is down. It seems the passengers are just dumped at Luton Airport Parkway railway station where they then become someone else's problem.</p>	<p>It is industry best practice to model and assess a typical situation on the highway and rail networks and not a perturbed situation as described. It is the responsibility of the Train Operating Companies and Network Rail to deal with issues on the network, introduce emergency timetables and other contingency measures. The Airport Operator would be in close contact with Network Rail and Train Operating Companies during these times to understanding the contingency measures they would seek to introduce and impact on the Airport.</p>
11.10	Surface Access	<p><b>TRAFFIC AND TRANSPORT - ROADS</b> The two main roads to the airport through Harpenden are still not getting the attention they deserve – the A1081 through Harpenden town centre, and the B653, the local section in Harpenden is called the Lower Luton Road.</p> <p>At the ISH7, I asked the question: Where will the traffic go when the development works in and around Junction 10 of the M1 are being carried out, and how much extra traffic would go through Harpenden? The flippant response from the Applicant was that the work will be phased. So what? The question was not answered and needs to be answered, so I ask it again: Where would the traffic go when the development works in and</p>	<p>The approach to the management of construction traffic is set out in Appendix 18.3 <b>CTMP</b> of the <b>ES [APP-130]</b>. The Outline CTMP has been prepared to identify the key matters that will need to be considered by the lead contractor during the logistical planning and execution of the construction works.</p> <p>The approved CTMP will set out the arrangements and management practices that will be adopted to minimise the impact of increased traffic on the local road network, and must be approved in writing by the relevant planning authority prior to the commencement of the Proposed Development.</p>

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		around Junction 10 of the M1 are being carried out, and how much extra traffic would go through Harpenden?	
11.11	Surface Access	<p>If there is an accident or other hold-up on the M1, the only alternative is for the traffic to go through St Albans, Harpenden, Wheathampstead and Redbourn, and this causes major gridlock problems. This would be much, much worse with increased volumes of traffic caused by this proposed airport expansion. In one sense, the M1 is the “by-pass” for St Albans and Harpenden. What are the mitigations that will be introduced to prevent this happening? In Harpenden, the air quality in some streets breaches World Health Organisation (WHO) limits on pollutants - for example, in Church Green, in the centre of town, the air quality breaches THREE WHO limits and is in the 67th percentile nationally, i.e. in the top third nationally for pollution (Source: A report published in September 2023 by The University of Hertfordshire – Smart Mobility Unit, entitled “Transport in Harpenden”). This would be exacerbated and the impact on health and wellbeing would get worse if the proposed airport expansion is approved. I recommend that the Inspectors read that report on transport, it is publicly available.</p>	<p>The purpose of the Transport Assessment is to assess the impact of the proposed airport expansion on the future baseline traffic and transport network. This is based on a reasonable worst-case scenario and a scope and methodology developed in conjunction with National Highways and the Host Authorities. The Applicant prepared an initial draft scoping report and shared this with National Highways and the Host Authorities. The scope and methodology set out in the initial report evolved over time through engagement with National Highways and the Host Authorities, and the full scope and methodology is reflected in the <b>Transport Assessment [APP-203, AS-123, APP-205, APP-206]</b>.</p> <p>The Applicant has been engaging with National Highways and the Host Authorities over a number of years as the Transport Assessment has been progressed and this has culminated in the preparation of Statements of Common Ground with each highway authority.</p> <p>An assessment of the impacts from occasional incidents on the M1, which are not directly related to the development, would not normally form part of a Proposed Development Transport Assessment and were not included in the scope of work developed with National Highways and the Host Authorities. National Highways operates and maintains the M1, which is part of the Strategic Road Network. It has incident management protocols to deal with issues and to keep traffic moving. This includes contingency planning and communications.</p> <p>The Applicant considers that the issue regarding M1 incidents was addressed on pages 19 and 20 of <b>Applicant's Response to Deadline 3 submissions – Appendix E Stop Luton Airport Expansion [REP4-100]</b>.and page 19 of <b>Applicant's Response to Deadline 5 Submissions [REP6-053]</b>.</p>
11.12	Surface Access	<p>Public transport services, especially buses, do not offer a choice for many of the journeys people in Harpenden currently make, and services have been reduced. The only bus service going East-West cross-country, from South Hatfield, Welwyn Garden City, through Wheathampstead and Harpenden to Luton, the 366 route, has been withdrawn! It is farcical the airport is aiming for 45% sustainable transport to and from the airport when they currently have zero from the East and 40% of their passengers! Apart from the 321 bus through Harpenden town centre, there are no evening services and limited Sunday services.</p> <p>The flawed assumption continues to be advocated, without any empirical evidence, that all passengers from the east travel via the M25 and M1, which is incorrect, especially as satnavs point drivers across the country and, anyway, who in their right mind, if travelling with a family, heading to Luton airport to go on holiday, would risk driving on the M25 and the M1 with all the congestion, delays, and hold-ups? Just because Google Maps suggests the M25 and M1 route, it does not make the assumption correct and for the Inspectors to rely on that assumption would be reckless and shallow.</p>	<p>Information on the current bus services in the area is noted. No specific new / improved bus services have been committed to as part of the future Travel Plan, with the initial Bus and Coach Study <b>[TR020001/APP/8.122]</b> looking at potential routes to improve accessibility to the airport. The application of STF funding will be governed by the Steering Group of the ATF, which includes the relevant highway authorities as members, who will therefore have a direct role in determining what interventions are chosen to achieve the Targets identified by the Travel Plans. This will be secured through the proposed section 106 agreement, as set out in the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b>.</p> <p>The Applicant has engaged with Host and neighbouring authorities on the governance, source, size and scope of the fund, and the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> for securing the fund and is developing further detail within consideration of comments raised. The fund takes the FTP's aspirations and demonstrates the airport's commitment to continuing to deliver. The Applicant will continue to engage as the STF's detail is developed.</p> <p>The <b>Trip Distribution Plans [REP5-037]</b> provide additional detail on vehicle distribution in the vicinity of the airport, which are based on the outputs of the Central Bedfordshire and Luton Transport Model (CBLTM), as detailed within the <b>Transport Assessment Appendices - Part 2 of 3 (Appendix F) [APP-201]</b>. Further detail on the strategic modelling is provided within the Appendix B: Strategic Modelling Specification Report, contained within <b>Transport Assessment Appendices - Part 1 of 3 (Appendices A-E) [APP-200]</b>.</p>

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			<p>The mode share limits for passenger travel set out within the <b>Green Controlled Growth Framework [TR020001/APP/7.08]</b> require the percentage of passenger travelling by sustainable means (primarily bus, coach and rail) to increase from 38% to 45%. If this is not achieved and a Limit is breached, further growth at the airport cannot take place until the mode share Limit is achieved.</p>
11.13	Surface Access	<p>Planning Inspectorate Scheme: Volume 5 Environmental Statement and Related Documents: 5.01 Chapter 18: Traffic and Transportation:18.7.7 It says the B653 to the south of Luton is only attractive for car travel to and from a limited area which is confined to Harpenden, villages along the B653 and parts of Welwyn Garden City and Hatfield. Where is the evidence for this critical assumption? What about passengers from Hertford, Ware, Hoddesdon, and even Essex - Chelmsford and Colchester, and Suffolk? The B653 is no more than a country road, and already takes a lot of airport traffic to the detriment of the local population. In addition, there is a new school alongside the B653, on the Lower Luton Road in Harpenden, called The Katherine Warington school, which is not yet at full capacity (two more years of growth to come, for the sixth form to be established), and has already increased the traffic flow in the early morning and evening. Children from Luton and Wheathampstead attend the school and travel along the B653. Furthermore, the planned housing development will result in Batford, which lies alongside the B653, doubling in size, resulting in a major increase in road traffic on the B653 as there is no other option for access to other areas.</p>	<p>The Applicant considers that the point regarding usage of the B653 was sufficiently addressed within Deadline 2 Submission <b>Applicant's Response to Written Representations made by Members of the Public at Deadline 1 (Part 1b) [REP2-034]</b>, page 48.</p>
11.14	Surface Access Greenhouse Gas Emissions	<p>The St Albans District Local Plan has recently been published (publication date: 11th July 2023), with proposals designed to meet the Government-imposed housing target of 15,000 new homes. Sites in Harpenden could make way for more than 1,700 homes - with a suggestion for 762 homes in "North East Harpenden", which is very close to the airport. In addition, Legal and General have submitted a proposal for a new housing development of 550 homes in north-east Harpenden, on a site adjacent to the Luton Road, with at least 1,100 parking spaces. Taylor Wimpey are planning to build 220 new homes on Green Belt land on the south-east edge of Harpenden. The traffic congestion and the resulting pollution would get even worse if the proposed airport expansion is approved. So what mitigations are planned?</p>	<p><b>Table 3.5</b> of the Strategic Modelling Forecasting Report, contained within <b>Transport Assessment Appendices - Part 2 of 3 (Appendix F) [APP-201]</b> sets out the forecast residential developments (greater than 250 dwellings) in terms of their certainty of delivery, ranging from reasonably foreseeable, near certain to more than likely. The St Albans District Local Plan sites are classified as 'reasonably foreseeable', and as per TAG guidance have not been included as part of the Core Scenario modelling.</p> <p>The construction of any new residential developments would be subject to standalone planning applications, which would provide highway mitigation as required.</p>
11.15	Surface Access Consultation	<p><b>PASSENGER SURVEYS</b> It has been claimed that "passenger surveys" have been done. However, I understand they amount to a meagre 6,000, which is a meaningless, non-significant, and unrepresentative sample, and is not enough to use with any confidence in any models. This works out at just 0.03% of the current capacity of 18 million; and even only 0.05% of 12 million</p>	<p>The use of CAA data to determine mode of travel to the airport is industry best practice. The sample size for London Luton Airport is routinely in excess of 6,000 interviews and the CAA undertakes a comprehensive validation and weighting exercise before releasing the data for use. The process of weighting ensures that the data is representative of the total population of airport users. The submission also demonstrates a fundamental lack of understanding of statistics and the required sample size of large populations in order to obtain a representative sample to the necessary confidence level and margin of error. Sample size does not need to increase proportionally to population size to achieve the thresholds.</p>
11.16	Surface Access	<p><b>FLY-PARKING</b> The Action Point 18 only covers Luton! Once again, Harpenden has been ignored, yet it is an existing problem in Harpenden, and has been for some time, particularly in the north of the town, and it is getting worse. Even the</p>	<p>Relevant local highway authorities (including Hertfordshire County Council) will be able to propose measures to mitigate fly-parking. These measures will be delivered via the processes outlined in the <b>OTRIMMA [TR020001/APP/8.97]</b>.</p>

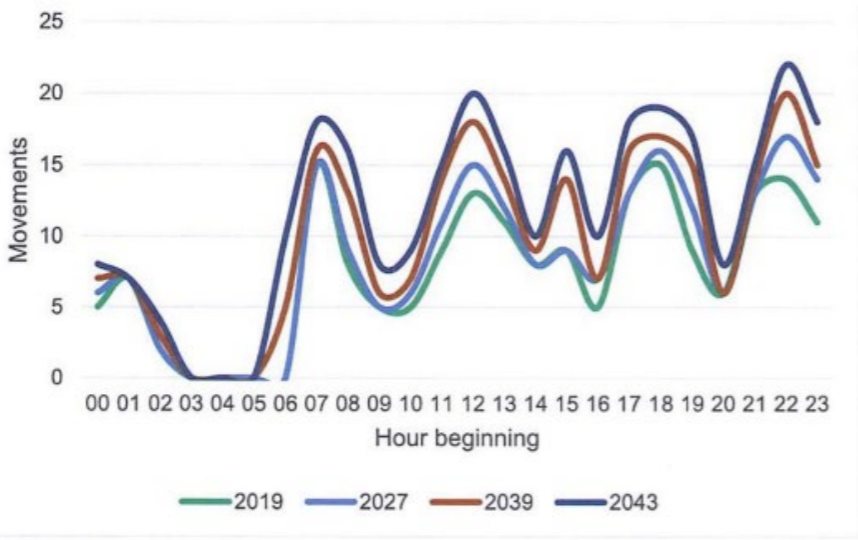
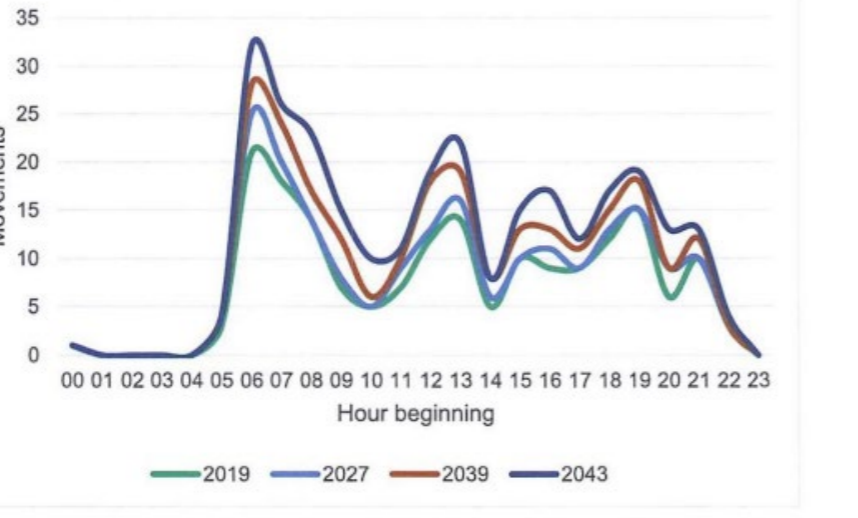


I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response																																								
		<p>centre of the town has been affected - the residents and the local council have had to introduce a residents parking system in and around Hitherfield Lane, Lydekker Park, to stop fly-parking. So, Harpenden MUST be included in this work.</p>																																									
11.17	Surface Access	<p><b>ACCIDENTS ON THE M1:</b>                      The proposal appears to be light on the information on local Accidents on the M1. The number of "Collisions" quoted is understated and misleading. This is extremely important to the Examination as to the effects on traffic congestion, delays and hold-ups, and the knock-on impacts, such as vehicles coming off the M1 early and travelling through local towns and villages, such as Harpenden and adding to their congestion, hold-ups, delays, and pollution. These accidents MUST be included in the modeling, they are NOT exceptional events. Here are some actual figures, obtained via a Freedom of Information Act 2000 request from National Highways, dated 17th August 2023. National Highways were asked: Please can you provide details of all M1 reported accidents Northbound Junction 9 to 10 and Southbound Junction 11 to 10 for the past five years? Starting at the beginning of each calendar year. Information provided by National Highways:</p> <table border="1" data-bbox="430 909 1448 1486"> <thead> <tr> <th>Number of Accidents</th> <th>J9 - J10</th> <th>J11 -J10</th> <th>Totals</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td>2018</td> <td>19</td> <td>63</td> <td>82</td> <td></td> </tr> <tr> <td>2019</td> <td>18</td> <td>64</td> <td>82</td> <td></td> </tr> <tr> <td>2020</td> <td>10</td> <td>32</td> <td>42</td> <td>Lockdown started on 23<sup>rd</sup> March 2020</td> </tr> <tr> <td>2021</td> <td>17</td> <td>37</td> <td>54</td> <td>th</td> </tr> <tr> <td colspan="5" style="text-align: center;">Lockdown ended on 17 May 2021</td> </tr> <tr> <td>2022</td> <td>24</td> <td>62</td> <td>86</td> <td></td> </tr> <tr> <td>2023 (half-year)</td> <td>12</td> <td>44</td> <td>112</td> <td>112 is Annualised</td> </tr> </tbody> </table>	Number of Accidents	J9 - J10	J11 -J10	Totals	Comments	2018	19	63	82		2019	18	64	82		2020	10	32	42	Lockdown started on 23 <sup>rd</sup> March 2020	2021	17	37	54	th	Lockdown ended on 17 May 2021					2022	24	62	86		2023 (half-year)	12	44	112	112 is Annualised	<p>Please see the response above at ID 11.11 which details why the Applicant does not consider that modelling accidents is appropriate. The extent of the network assessed as part of the application and the methodological; approaches were extensively discussed with the relevant highway authorities including National Highways. The assessment has been undertaken in accordance with typical practices and the modelling of 'incidence' including collisions would not comprise of part of the process. Given that every collision is different, it would not be appropriate to model such exceptional events.</p>
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<b>12. Cllr Steven Stephens [REP6-161]</b>																																											
12.1	Noise and Vibration Air Quality	<p>I made it quite clear in that presentation that although some further airport expansion could be supported as the goals of such expansion would be to provide additional jobs for the town's residents and further income for the Council and worthy causes, it had to be predicated on finding solutions for the aircraft noise and worsening air quality blighting the lives of residents in South, Central, Vauxhall, Stopsley and Wigmore Wards.</p> <p>In essence therefore, the Council agreed that expansion should only proceed once solutions were found for current problems caused by the airport and airlines and those that are likely to worsen, as the airport expands further.</p>	<p>The air quality assessment <b>Chapter 7 Air Quality</b> of the <b>ES [AS-076]</b> has provided an assessment of air quality impacts from all related sources (road vehicles, aircraft and airport sources) following the methodology agreed with the local councils. The assessment concludes that the impact of the Proposed Development would be not significant. The air quality assessment provided an assessment of air quality in line with national legislation. The commitment to continual improvement is clear with <b>Appendix 7.5 [APP-065]</b> setting out the measures committed to via the DCO which will help to improve air quality.</p> <p>The impact of aircraft noise from the Proposed Development has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. As a result, no</p>																																								

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			residual significant effects from aircraft noise are identified. Further details can be found in <b>Chapter 16 Noise and Vibration</b> of the <b>Environmental Statement [REP1-003]</b> .
12.2	Surface Access	At the Open Hearing, I also mentioned that many residents in South Ward do not believe that we have the necessary infrastructure for further expansion, as the Luton Airport Express from St Pancras only runs every half hour and if there are major problems on the M1, leading to junction 10, it is likely to lead to queues on the main approach road to the airport and to drivers looking for alternative routes such as London Road, Crawley Green Rd, Cutenhoe Road, Vauxhall Way and Eaton Green Road etc. Many residents also believe that a big expansion will impede Luton's ability to achieve a carbon neutral status by 2040.	<p>A detailed <b>Transport Assessment [APP-203 to APP-206]</b> has been produced to support the application for development consent. The assessment has considered typical conditions on the transport network and the assessment has carefully and robustly assessed the forecast impact and effects of surface access related travel to and from the airport. It is not normal practice to assess incidents or similar issues.</p> <p>Where relevant and necessary, the Applicant has proposed measures including infrastructure and junction improvements to mitigate against any significant impacts that are forecast to occur. These mitigation measures, as detailed in <b>Appendix A [APP-200]</b> of the Transport Assessment and include mitigation measures to a number of junctions on the local roads corridors including Vauxhall Way, Crawley Green Road, Eaton Green Road and London Road.</p> <p>It is also noted that the Chief Executive of LBC noted at OFH3 the key role that the Airport expansion has to play in meeting the authority's vision for Luton 2040.</p>
12.4	Noise and Vibration	What aircraft noise modelling and air quality modelling has been conducted to show expected levels at the incremental rate of expansion of say 22.5 PPM, 27million and 32 Million or other PPM levels modelled? Where can we access this data?	<p>Details of the noise modelling and noise assessment for each assessment phase are provided in <b>Chapter 16 Noise and Vibration of the Environmental Statement [REP1-003]</b>.</p> <p>Details of the air quality modelling for each assessment are provided in <b>Chapter 7 Air Quality of the Environmental Statement [AS-076]</b>.</p>
12.5	Fleetmix	Why has Luton Rising / London Luton Airport Ltd not provided a deadline by which airlines wishing to continue using the airport, must replace their aeroplanes with quieter fewer polluting planes?	The Applicant has provided information on how the proposed controls in the DCO will secure the transition of quieter aircraft into the fleet in <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH9) [REP6-067]</b> , section 4.4.
12.6	Noise and Vibration	What are Luton Rising's plans for additional noise insulations grants? Why do they think they will be sufficient and who will be entitled to these grants?	Please see application document <b>Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> . This deals with both the quantum and eligibility for noise insulation.
12.7	Noise and vibration	<p>The Council requests its Chief Executive, together with other relevant Council Officers, to initiate discussions with London Luton Airport Ltd (Luton Rising), London Luton Airport Operations Ltd and the Civil Aviation Authority (NATS), to seek solutions to reduce the effects of detrimental pollutants and noise blight for the residents.</p> <p>Consideration in these discussions should be given to the possibility of:</p> <ul style="list-style-type: none"> <li>- Moving the western flight paths further to the South</li> <li>- Setting a firm deadline for airlines to replace older, noisier aircraft with more modern less noisy planes</li> <li>- Placing more permanent noise monitors nearer to the populated areas of Luton, being mindful that readings from monitors currently located in residents' gardens cannot be used to take legal action against airlines found to be in breach of statutory and locally imposed noise and pollution targets.</li> </ul>	<p>The Applicant looks forward to discussing these matters with the Chief Executive of the Council. To help inform such discussions the Applicant notes:</p> <ul style="list-style-type: none"> <li>- Changes to airspace and flightpaths are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate assessment and consultation exercise by the airport operator in accordance with Civil Aviation Authority (CAA) procedure (CAP1616), in due course. A note explaining the relationship between the two processes was submitted at Deadline 1 <b>[REP1-028]</b></li> <li>- The Applicant has provided information on how the proposed controls in the DCO will secure the transition of quieter aircraft into the fleet in <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH9) [REP6-067]</b>, section 4.4.</li> <li>- A commitment has been made within the Aircraft Noise Monitoring Plan of the <b>Green Controlled Growth Framework [REP5-028]</b> to maintain and improve, as needed for the expanded airport, the array of permanent and temporary aircraft noise monitoring stations currently in place at the time of the application for development consent.</li> </ul>
<b>13. UK Health Security Agency [REP6-147]</b>			
13.1	Health and	Suggested form of drafting regarding a potential health monitoring requirement The Promoter will commission an ongoing epidemiological monitoring campaign to address community health and wellbeing as a result	The Applicant considers that epidemiological studies on the effects of aviation noise on quality of life (annoyance and sleep disturbance) and the efficacy of noise mitigation are properly undertaken at national level, to inform national policy and guidance.

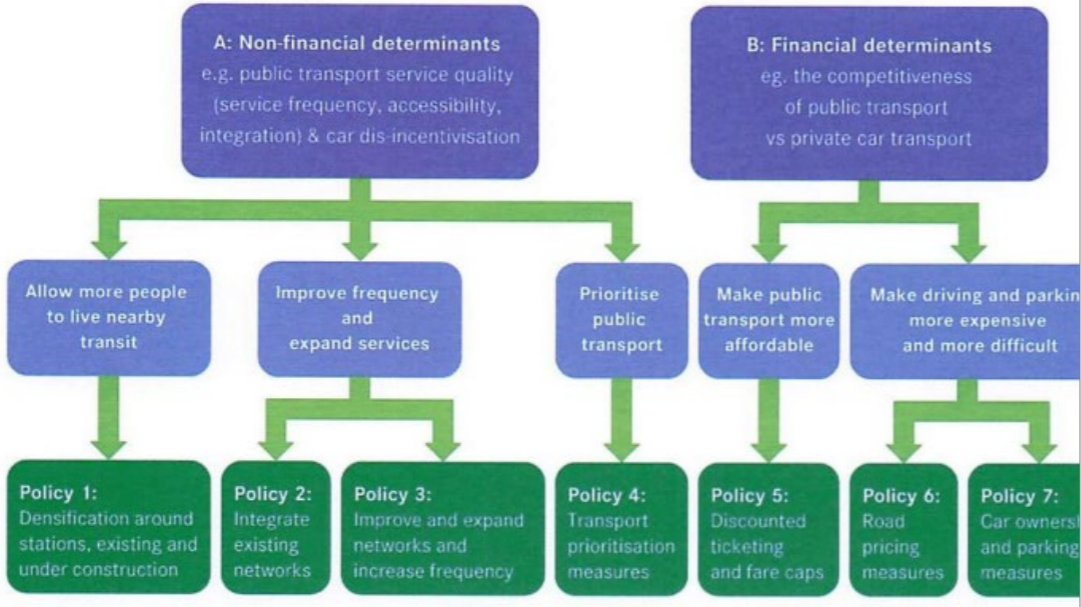
I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
	Community	of the construction and operational aspects of 3 the Scheme. The purpose of the campaign is to provide quantitative and qualitative analysis of the health and wellbeing effects on the community experiencing changes to their usual environment due to the Scheme and inform changes to mitigation strategies if necessary.	<p>The Applicant's position is set out in full in Deadline 7 submission the <b>Applicant's Response to Issue Specific Hearing 8 Action 20: Position Statement of Health Monitoring [TR20001/APP/8.168]</b>.</p> <p>For the reasons set out in its position paper, the Applicant does not consider that there is any need to include in the Draft DCO a health monitoring requirement.</p>
13.2	Health and Community	<p>The campaign should include</p> <ul style="list-style-type: none"> <li>• a cross-sectional social survey to measure community health and wellbeing (including noise -related effects, quality of life and mental wellbeing) in a representative sample within the ES study area – this should be repeated every 3-5 years;</li> <li>• a before-after investigation of the effectiveness of the noise insulation scheme to protect health and quality of life in a representative sample of those eligible for noise insulation.</li> </ul>	See ID 13.1 above.
13.3	Health and Community	The Promoter should draw on national and international best practice in this area. An advisory board should be setup to oversee the design and implementation of the monitoring campaign; membership should include public health representatives from neighbouring local authorities, and representatives from local community groups.	See ID 13.1 above.
13.4	Health and Community Green Controlled Growth	Findings from the campaign should be published including, if necessary, a response from the Promoter specifying any additional action to be taken with timescales for implementation to improving and maintaining the benefits from using infrastructure and minimising the negative impacts. The findings should inform the evidence base for key decisions on future growth linked to the Green Controlled Growth programme.	See ID 13.1 above.
<b>14. Tim North and Associates Limited on Behalf of Holiday Extras Limited [REP6-132]</b>			
14.4	Surface Access	Consideration has been given to inflation forecasts from the Office for Budget Responsibility, with the latest rate set at £0.25 per passenger parking transaction and £0.10 per passenger drop-off. Reference has been made to no levy being applied to two car parking products, namely the Mid-Stay Car Park – Gate (under 15 mins) and Long Stay Car Park – Gate (under 1 hour), although this is not properly reflected in Table 3.1 of Document REP5-056. Indeed, my clients would query whether the last entry in Table 3.1 which reads "Priority Parking – Pre-Book" should refer to Long Stay Car Park – Gate (under 1 hour), if only to accord with the contents of paragraphs 3.2.2 and 3.3.1.	The Applicant appreciates the query raised. This has been corrected in the updated version of the <b>Sustainable Transport Fund [TR020001/APP/8.119]</b> .
14.5	Need Case Surface Access	The Examining Authority has been informed that the passenger forecasts set out the Needs Case [Document AS-125] reflects a range of factors including the airport's catchment, passenger characteristics, destinations served, as well as those of competing airports (see responses on pages 20, 25 and 26 of Document REP1-022); whilst proposed on-airport passenger car parking numbers are defined using a combination of CAA data, existing parking numbers, projected busy day timetables and mode share aspirations, a matter highlighted on pages 30 and 31 of Document REP1-022.	The Applicant considers that the methodology used to determine the proposed levels of on-airport car parking was covered in item 2 on page 3 of <b>Applicant's Response to Deadline 5 Submissions [REP6-053]</b> . For clarity, the method did not use projected busy day timetables.

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14.7	Surface Access	The Applicant states that the proposed passenger on-airport car parking figures comprising part of the DCO application have been derived from Sections 8 and 9 of the Transport Statement [Documents APP-203 to APP-206], although as I have indicated in previous responses on behalf of Holiday Extras Ltd, there is a distinct absence of any detailed methodology as to how the figures of future mid and long term on-airport passenger car parking provision throughout the duration of the DCO to 2043 have been derived. [See Document REP5-070; Document REP3-118, and EV9-003].	The Applicant considers that the issue raised regarding the methodology used to determine the proposed levels of on-airport car parking was covered in item 2 on page 3 of <b>Applicant's Response to Deadline 5 Submissions [REP6-053]</b> .
14.16	Need Case	I have set out overleaf profiles of scheduled arriving and departing passengers on a busy day, taken from Figures 6.20 and 6.21 of the Needs Case [Document AS-125] which have been prepared by York Aviation on behalf of the Applicant. It can be seen that there is increasing peakiness from a base year of 2019, taking into account the three phases involved in the current DCO application. This increasing peakiness occurs at 0700hrs, 1200hrs, 1800hrs and 2200hrs for arriving passengers, with similar increased peakiness for departing passengers at 0600hrs, 1200hrs, and a more consistent pattern thereafter to 2100hrs.	These profiles of demand are set out in <b>Figures 6.23 and 6.24 of the Need Case [AS-125]</b>
14.17	Surface Access	An assessment of these two profiles means that passengers' early morning departures would have to factor into their modal choice not only price, but also the "lead time", calculated as the time spent from the point of entry to the terminal; passing through check-in and security; before entering the departure hall, and proceeding to the flight departure gate. For arriving passengers, they would need to take into consideration the "lag time" being the time spent from the time of landing; passing through passport control; collecting any luggage from the baggage reclaim, before proceeding through customs and exiting the terminal. These time periods are likely to be prolonged during periods when large numbers of passengers are passing through the airport, particularly at 0600hrs and 0700hrs, which in turn have a direct impact on the choice of mode to London Luton Airport.	<p>For the purposes of calculating trip generation, both lead time and lag time have been considered.</p> <p>This data has been utilised to develop passenger arrival and departure profiles for surface access at the airport. These profiles take into account the time needed for check-in before flight departure, as well as customs inspections and baggage claim after arrival.</p> <p><b>Chapter 9.5 of the Transport Assessment [TR020001/APP/7.02]</b> states the following assumptions:</p> <ol style="list-style-type: none"> <li>a. 80% of departing passengers appear on the highway network 2 hours 30 minutes before a flight;</li> <li>b. 20% of departing passengers appear on the highway network 1 hour 30 minutes before a flight;</li> <li>c. 80% of arriving passengers appear on the highway network 45 minutes after a flight;</li> <li>d. 20% of arriving passengers appear on the highway network 1 hour after a flight;</li> </ol> <p>Therefore, the profile of "Profile of Passengers on the Transport Network on a Busy Day" would differ from the profiles of scheduled arriving and departing aircrafts on a busy day, once lead and lag times are accounted for.</p> <p>It is assumed that the choice of transport mode remains consistent throughout the day.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>Figure 6.20 Profile of Scheduled Arriving Aircraft Movements on a Busy Day</p>  <p>Figure 6.21 Profile of Scheduled Departing Aircraft Movements on a Busy Day</p>  <p>Source: York Aviation</p>	
14.18	Surface Access	<p>The above factors derived from the Needs Case [Document AS-125] comprise an important integral part of those considerations which underlie the extent of the STF. The same factors influence passenger car parking demand, which in turn has an impact on passenger car parking supply. A contingency figure should be introduced with respect to future short, mid and long term on-airport passenger car parking provision, to take into account uncertainty surrounding those diverse factors contributing to the Needs Case, the prospect of a faster growth scenario arising over the time period covered by the DCO application, as well as unforeseen events.</p>	<p>The Applicant does not consider it necessary to introduce a contingency figure to the car parking supply. The future car parking provision takes account of the growth in passengers and the assumed reduction in car parking mode share. Section 8 of the Transport Assessment sets out in detail the methodology for calculating future car parking demand and this is seen as a robust calculation. [see <b>Section 8 of the Transport Assessment APP-204</b>].</p>

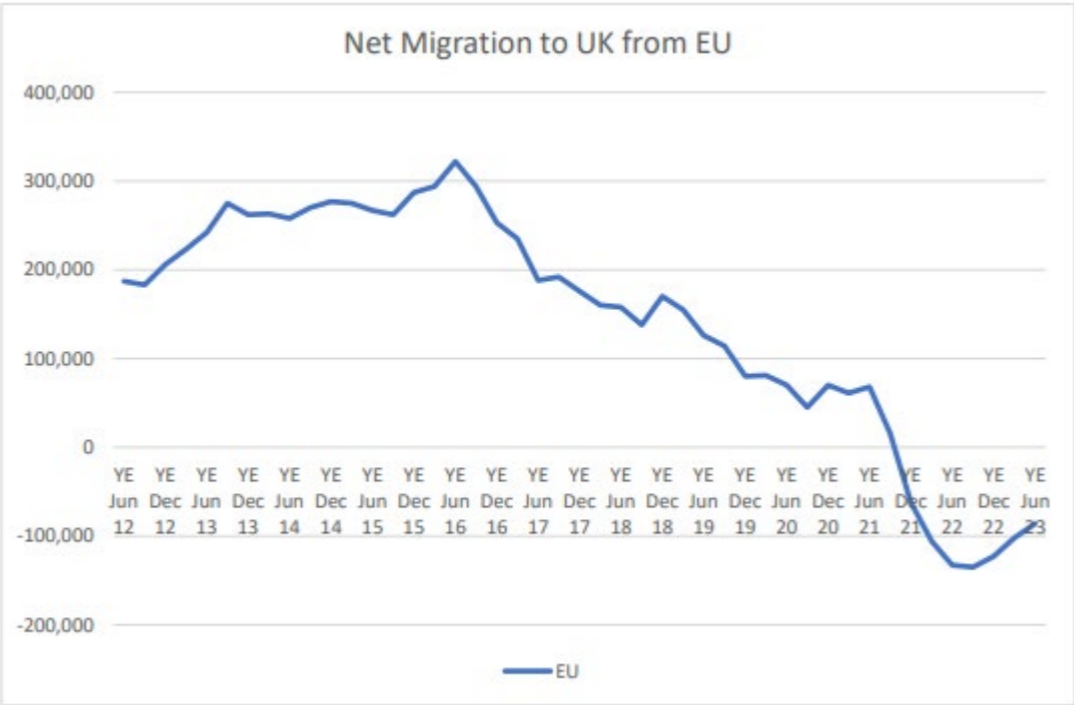
I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
14.19	Surface Access	The recent fire at Terminal 2 and the unknown impact arising from a growth in autonomous vehicles in modal share/car parking provision at the airport are just two examples of unforeseen events that can arise. It means that any assessment of on-airport passenger car parking supply should incorporate a contingency figure which extends beyond simply making an allowance for those passengers who have not pre-booked a car parking space. This is considered necessary irrespective of the need to accord with the limits/thresholds set out in the Green Controlled Growth where they concern surface access and the interventions/measures available through the Framework Travel Plan.	Please see response to ID 14.18.
14.25	Surface Access  Green Controlled Growth	A decision taken not to engage with long term off-airport passenger providers has the propensity to result in uncertainty surrounding the ability to comply with future mode share targets set out in the Green Controlled Growth Framework, resulting in the growth at London Luton Airport either slowing or indeed coming to an abrupt halt, pending the introduction of measures outlined in a Level 2 Mitigation Plan to manage the situation. This position was accepted by Leading Counsel acting on behalf of the Applicant at Issue Specific Hearing 7 held on Tuesday 28th November 2023. [Document ENV14-004]	Whilst it is correct that a failure to meet the mode share Limits of the GCG Framework would result in implications for growth, this cannot be linked to the lack of certainty of provision of off-site parking. As set out in previous responses including <b>Applicant's Response to Relevant Representations – Part 2B of 4 (Members of the Public)</b> pages 11-12, RR-0565 [REP1-022], all car-based trips in the context of the GCG Limits are considered 'non-sustainable', including trips to off-site car parks. A failure to meet the mode share Limits would therefore result from not achieving sufficient levels of sustainable travel by passengers, including bus, coach and rail trips, rather than any specific split between on-site parking, off-site parking or kiss-and-fly. Indeed, too much off-site parking, such that it takes away mode share from bus/coach/rail could be a contributing factor to a potential breach of a Limit in future. The submission therefore misrepresents the Applicant's position, which was set out in writing in Section 6.2 of the <b>Applicant's Post Hearing Submission - Issue Specific Hearing 7 (ISH7) [REP6-065]</b> .
14.38	Surface Access	In concluding this section, it can be seen that the Applicant as part of the current DCO application does not seek to prevent long term off-airport car parking by independent providers in the future. On the contrary, the Applicant has confirmed there is a market for off-airport car parking with the assumption made that there will be a growth in offairport car parking trips made to the London Luton Airport. In the event long term offairport car parking operators do not seize this opportunity, serious consequences may materialise for the airport in terms of compliance with the thresholds and limits set out in the Green Controlled Growth, resulting in a slowing down or worse, a halt to the airports growth.	Please refer to the response to ID14.25 above.
14.39	Surface Access	It follows that there is a dependency on off-airport car parking providers to come forward with planning applications to assist in meeting that segment of the market concerning those passengers who rely on the private car to access the airport. As an issue, it has implications not only for the future growth of London Luton Airport, but also in terms of the wider impact and costs associated with controlling fly parking in surrounding residential streets.	The Applicant has assumed that there will be an increase, in recognition that there will likely be an increased market for such a product given the growth in the airport.
14.40	Surface Access	The Applicant is on record as stating that "London Luton Airport had a noticeably higher taxi/minicab/uber mode share than Stansted (average 6.5% higher), and although the published CAA data does not disaggregate the car mode share, it would be reasonable to assume that there would be a higher proportion of private drop-off/pick-up trips at London Luton Airport." [see response on page 5 of Document REP5-059]. In the light of these comments should long term off-airport car parking providers be prevented	It should also be noted that there nothing in the Applicant's proposals which serves to prevent, limit or otherwise constrain the ability of others to bring forward off-site car-parking solutions.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		from contributing to the airport's growth, the inevitable result is likely to be significant increases in the least sustainable modes of access to the airport.	
14.45	Surface Access	In assessing the prospects of improved or enhanced services being offered to passengers accessing London Luton Airport by coach, requires a comparison to be made between on the one hand, the frequency of coach services over a 24-hour period, and on the other, observed patronage with particular reliance placed on those profiles of scheduled arriving and departing aircraft movements on a busy day, set out earlier on page 6 of these representations. It is from this basis that a detailed judgement can then be made on whether the respective coach service is likely to be a long term commercial option. The same assessment will examine the extent to which any pump-priming or subsidy is necessary in order for the service to reach a viable position.	<p>Noted. The <b>Bus &amp; Coach Study [REP5-058]</b> presents undetailed potential services that may be included in future travel plans. Any detail around routes and timetabling are not yet confirmed; and may be discussed with relevant stakeholders through the Airport Transport Forum. This will include engagement with coach operators to understand the commercial viability of a service, and what kind of subsidy (if any) may be required.</p> <p>A commitment has been added to the <b>Draft Section 106 Agreement [TR020001/APP/8.167]</b> to address the need for pump priming in the STF.</p>
14.46	Surface Access	There is an absence of any timetables relating to existing bus and coach services to London Luton Airport in Document REP5-058, with no existing patronage information. No indication is provided as to how improvements to the existing bus or coach service will be reflected in the respective timetable, and when the intervention is anticipated to take place. Table 3.1 merely states that there would be increases in frequency, but no details are provided as to whether, in the case of coach passengers, this involves increased services during peak flight departure and arrival times at the airport.	The <b>Bus &amp; Coach Study [REP5-058]</b> presents unspecified potential services that may be included in future travel plans. Any detail around routes and timetabling is not yet confirmed; and will be discussed with relevant stakeholders through the Airport Transport Forum. Any potential intervention for Sustainable Transport Funding would be submitted to the ATF and ATF Steering Group following notice to grow and will be considered in the future Bus and Coach Market Study. Regular engagement with bus operators will take place through the preparation of the five-yearly Bus and Coach Market Studies, as described in section 5.1.8 of the <b>Bus and Coach Study [REP5-058]</b> and the attendance of operators at ATFs.
14.47	Surface Access	The conclusions emanating from an assessment of potential new services reveal six routes where funding and delivery is expected to be prioritised. The six routes set out in paragraph 4.3.5 of Document REP5-058 concentrate attention on five bus routes and what is in fact a single coach route, although this is referred to as bus route 737 serving Buckingham in the same paragraph. There is no existing or potential bus route 737; Appendix B to the same document confirming that it is coach route 737 operated by National Express.	The Applicant agrees that the Bus Route 737 mentioned in paragraph 4.3.5 of the <b>Bus &amp; Coach Study [REP5-058]</b> is referring to Coach route 737 operated by National Express.
14.48	Surface Access	Route 737 currently runs from Oxford to London Stansted Airport via Milton Keynes Coachway, Luton (Challney), Luton, London Luton Airport, Hatfield, Hartford and Harlow. It is proposed to extend the service to Cambridge and increase the frequency from 8 coaches per day to an hourly service. It is the only link from towns west of Aylesbury to London Luton Airport involving a long circuitous journey, compared to the more direct route by private car, and with this in mind it is unlikely to be attractive to airport passengers.	The Bus & Coach Study outlines potential services that may be selected for inclusion in future travel plans. The potential coach services were drawn from the airport operator's coach market study which was written in 2023 to support the coach tender process. A more direct service from towns west of Aylesbury to London Luton Airport can be considered for inclusion in future travel plans through the Airport Transport Forum and Steering Group.
14.49	Surface Access	It is only where there is a direct, quick, reliable and comfortable service that the coach will be an attractive option for the airport passenger. I have set out overleaf those generic factors determining the competitiveness of public transport, which broadly coincide with both financial and non-financial categories. If public transport is not the more competitive choice in both categories, policies to encourage modal shift are unlikely to succeed. In this way, public transport must be the most affordable and most convenient choice. A successful approach to public transport should consider a combination of policies that will encourage modal shift. To create an effective strategy, the "A" actions set out on the left hand side of the model	Please see previous response to ID 14.48.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>reproduced overleaf based on non-financial factors, should be adopted in combination with the “B” interventions on the right hand side of the same model.</p> <p style="text-align: center;"><b>Factors Affecting the Attractiveness of Public Transport</b></p> 	
14.55	Surface Access	<p>In a similar way, two other bus routes, being Arriva Bus F70 and Red Eagle X61, extend the termination point from Luton Station Interchange in Luton Town Centre to Luton Airport Bus Station, with the frequency of Service F70 to Leighton Buzzard increasing from an hourly to half-hourly during the peak times, and X61 terminating at Aylesbury being increased from one bus per day to one bus every three hours. It is contended the latter service is not conducive to regular use by staff or by passengers.</p>	<p>The inclusion of this service in future travel plans, and any detail around the route and timetabling of the service, are not yet confirmed; and would be discussed with relevant stakeholders through the Airport Transport Forum.</p>
<b>15. The Harpenden Society [REP6-130]</b>			
15.1	Funding Compensation	<p>We note:</p> <p>a. Approach 1 requires an extension of the concession agreement. This has implications for the timing and economics of Phase 2, which we address below.</p> <p>b. Approaches 1 and 2 are dependent on LLAOL achieving an “appropriate” or “agreed” rate of return. Bearing in mind the Force Majeure and Special Force Majeure provisions cost LR £45 million (and LR has no alternative to LLAOL undertaking Phase 1), all the financial risk will be firmly placed at LR’s door. This must weigh heavily against LR’s ability to fund the CA costs of Phase 2, also discussed below.</p>	<p>For point (b) it is incorrect to say all the financial risk for Phase 1 expansion is firmly placed at the Applicant. The existing concession ends in 2032. The basis for the preferred Phase 1 Funding Approach is to negotiate a mutually acceptable solution between the existing operator and the Applicant.</p>
15.2	Funding	<p>We have discounted Approach 3 as an option so far as funding from Luton Borough Council (“LBC”) is concerned as LR say in box 6 of their covering letter (REP5-001) that “Luton Borough Council is not funding nor financing the expansion”. If LR was to raise finance through commercial routes, under this approach, it would also impact on LR’s ability to fund the CA costs of Phase 2.</p>	<p>This analysis is incorrect. Whoever ends up financing the airport expansion has the same surplus cash flows in <b>Table 5</b> of the <b>Funding Statement [REP5-009]</b> and the Applicant has the same land compensation costs to pay.</p>



I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
15.3	Funding	LR's claim in para 2.2.7 of FS2 that the concession fee for "the period before this Phase 2 liability will arise is many multiples of these estimated costs" is not objective as it fails to take into account expenses and also relies on future forecasts that are subjective.	<p>The statements do take account of expenses. For instance, as stated in section 7.2.12 of the <b>Applicant's Post Hearing Submission – Compulsory Acquisition Hearing 2 [REP6-064]</b> "In the period to the current end of the concession in 2032 the total amount of income the Applicant will derive is forecast to be between approximately £600m - £800m which it can use to meet compulsory acquisition, temporary possession and Part One liabilities as they arise. Out of the £600m - £800m the Applicant confirmed its free cash flow (income less operating costs, interest payments and charitable donations) over the next 10 years was expected to be in excess of £100m, and well in excess of the £10m compulsory acquisition costs (current 2023/24 prices)."</p> <p>As it is, the £600m to £800m sum is conservative, representing income only from airport concession fees. Please refer to the response provided at ID 2.1 of this document for further detail about the financial strength of the Applicant.</p>
15.5	Funding	LR also noted at CAH2 that total income over the next 10 years could be between £600-800 million (and explained that this was a function of both passenger growth and the RPI uplift to the concession fee) and "free" cash flow over £100 million. We note that this would be equivalent to the total CA costs at today's prices but by then the costs will have increased to £158 million.	The £100m "free" cash flow and the £600m - £800m is a conservative estimate of just the concession fee income, excluding the net cash flows from DART and other property income. Please refer to the response provided at ID 2.1 of this document for further detail about the financial strength of the Applicant.
15.6		<p>Flat or even falling passenger numbers over the next 10 years are not a remote possibility, they are a real risk.</p> <p>a. Luton airport's recovery from Covid is not as strong as it was claimed it would be at the 19m Inquiry and it is lagging behind Heathrow and Stansted (they have fully recovered Luton (and Gatwick) are at 90%);</p> <p>b. The rolling 12 month passenger numbers up to 31 October 2023 are 16.1 million, closer to slower growth than core growth for 2023 per the Need Case Table 6.5.</p> <p>c. Short term (the next two years) Luton airport specific factors may limit its recovery including the car park fire, Wizzair's engine problems and the loss of traffic due to conflicts in Ukraine and the Gaza strip.</p> <p>d. In the short and medium term (up to the end of the current concession agreement) the macroeconomic position remains volatile with the threat of recession ever present and the prospect of continuing and even new conflicts or political instability in key Luton airport markets. Europe, Luton airport's overwhelmingly dominant market, is seeing net emigration from the UK (in contrast the rapid growth Luton airport experienced pre-Covid was a result of net immigration from Europe). This is illustrated in the table below (data from ONS tables):</p>	<p>The responses to points (a) to (g) are:</p> <ul style="list-style-type: none"> <li>Recovery of traffic at London Luton Airport is lagging recovery at some airports in part because of measures put in place to protect the original 18 mppa planning cap and noise contour limits..</li> <li>The Need Case projections were prepared some time before submission of the DCO when the impact of these restrictions was less clear. Any shortfall in traffic in 2023, for the reasons set out above, is not material to the projections for the first assessment year 2027 and thereafter when the airport is expected to have fully recovered from the effects of the pandemic and grown to within the range encompassed by the faster to slower growth cases set out in the <b>Need Case [AS-125]</b> at <b>Table 6.5</b> assuming the DCO is consented.</li> <li>In relation to net migration, it would not be sensible to form a long-term view based solely on short term trends through the pandemic and the recovery period. However, it would be wrong to characterise growth at the airport as being dependent on a continuation of net immigration as the forecasts have taken the full range of growth markets into account.</li> <li>The impact of the Jet Zero Strategy assumptions has already been addressed in previous responses <b>[REP2-042 and REP5-050]</b> (see also response to Written Question NE.2.5).</li> <li>The falls in traffic referred to as impacting on London Luton Airport in 2008-2013 and since 2019 were also seen across the totality of UK airports (see CAA Airport Statistics) and reflected the global financial crisis and more recently the Covid-19 pandemic. The key point is that traffic growth resumed following these shocks and would be expected to show a similar pattern in response to any future economic or other shock to the system. Demand forecasts are inevitably long-term trend based and may not reflect precisely the performance in any given year, with some years showing slower growth and other years faster growth.</li> </ul> <p>As a point of fact, in Accounting Note 14 (Creditors: amounts falling due after more than one year) of the Applicant's 2021/22 accounts there is c.£17 million of loans to be repaid on 28 March</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		 <p data-bbox="409 898 1448 1186">                     e. Climate change effects are already pinning back the high growth expectations of the original Jet Zero Strategy.                      f. In the recent past, Luton airport passenger numbers have fallen substantially, in fact twice in the last 20 years, from 2008 to 2013 and from 2019 to date and remained lower than the previous peak for 4-5 years. Another “shock” over the next 10 years cannot be ruled out.                      g. In short, passenger growth at Luton airport is not assured over the next 10 years.                 </p> <p data-bbox="409 1228 1448 1476">                     20 We also note that there are other potential calls on LR's income other than expenses, notably loan repayments where the accounts suggest about £28 million of loans needs to be repaid in 2028 and the probability that LBC will extract dividends to finance budget shortfalls already forecast for the next few years and, in all probability, likely to occur throughout the next 10 years, due to LBC's low Council tax charge compared to neighbouring authorities.                 </p>	<p data-bbox="1448 226 2754 294">2028, not the £28 million mentioned. Please see the response provided at ID 2.1 and ID15.5 of this document to the levels of free cash generation per year.</p>
15.7	Funding	<p data-bbox="409 1486 1448 1728">Although LR argue in their covering letter that their application is not a publicly funded DCO (as Portishead was) the 2013 Guidance makes no distinction between public and private funding of DCOs. At the Manston airport DCO, a similar but much smaller privately funded project, the ExA satisfied itself that a legal agreement and the deposit of more than enough funds at two financial institutions to cover CA costs was sufficient. This is not an option for LR.</p>	<p data-bbox="1448 1486 2754 1623">The Applicant has made a provision of £10m in the financial year 2023/24 for land compensation costs over the next 10 years. The Applicant will continue to make appropriate provisions for Phase 2 land compensation over the following years and during the 14-year Phase 2 land compensation timeframe.</p>
15.8	Funding	<p data-bbox="409 1738 1448 1934">We also reviewed a range of other privately funded ExA's decision making on CA costs. For the most part, the applicant was a wholly owned subsidiary (often a special purpose company) of a very large multi-billion turnover utility company. The ExA's invariably considered the pedigree of the parent (whose accounts were often included in the funding statement) in satisfying itself that funds would be available but, even so, often inserted a condition in</p>	<p data-bbox="1448 1738 2754 1770">Please see the response to ID 15.5 above.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		the DCO that CA could not begin until a guarantee or other form of security was provided. In all the DCOs for which a figure for CA costs was available the quantum was also extremely modest as a proportion of the parent company's annual cash flows. The CA costs for this application, by contrast, appear to be virtually all the applicants free cash flows for the next 10 years.	
15.9	Funding	<p>We set out our overriding concerns with the project cash flows first.</p> <p>a. They appear to cover the period 2022-2072 "prepared from the perspective of the airport operator" (paragraph 4.1.2).</p> <p>i. This period includes the 10 years remaining on the current concession which, if negotiations are successful in relation to Approach 1, will then be extended anyway.</p> <p>ii. The cash flows for this period (whether extended or not) are not project cash flows, they will accrue to LLAOL. LR may well earn a concession fee but that is unrelated to Phase 2's capital costs.</p> <p>iii. The language implies it's all the cash flows for that period so the whole exercise is irrelevant for the purposes it has been put forward for.</p> <p>b. What ever period the cash flows relate to they are undiscounted. There is no value in undiscounted cash flows for a period of 50 years hence as they take no account of the investors' cost of capital, payments for which may be required on day 1.</p> <p>c. None of the assumptions underlying the calculations are disclosed. The ExA (and Interested Parties) have no basis on which to make an assessment as to whether the assumptions are valid and therefore whether the cash that flows from the assumptions is valid. We are certain that any attempt to present something similar to investors would not get very far.</p>	<p>The Proposed Development anticipates Phase 1 beginning in 2025 and Phase 2 is anticipated to start in 2033. Hence, the rationale for presenting the cash flows for the period 2022 – 2072, not just from 2032/33 as question (a)(ii) seems to be suggesting. Further, Table 5 of the <b>Funding Statement [REP5-009]</b> presents the net surplus cash flow over the 50-years available for concession fees, financing the airport expansion and paying corporation tax. Therefore, they represent the net cash flow for the airport as a whole and how that cash flow is allocated between parties going forward will be defined by the commercial agreement reached.</p> <p>In response to (b) discounted cash flows would be appropriate for assessing return on investment at a point in time. Actual cash flows are appropriate for assessing financial viability or affordability which is the purpose of the Funding Statement.</p> <p>In response to point (c), the <b>Funding Statement [REP5-009]</b> explains that assumptions that go into Table 5 have been made by experienced project advisers and have been included in a comprehensive, commercial in confidence, Financial Model Assumptions Book. Disclosing these confidential assumptions would prejudice ongoing commercial discussions.</p> <p>To reiterate, the analysis undertaken demonstrates that the airport as a business is more than capable of generating sufficient net cash flows to support the expansion.</p>
15.11	Funding	On a "real" basis the income per passenger over the life of the project is £18.50. On the face of it this compares unfavourably to the per passenger income of £12.60 in 2019 for an airport whose airline and passenger customers are acknowledged to be "ultra low cost". Our detailed figures for airport aero revenues in 2033 of £193 million appear to be double LLAOL's 2019 "traffic income" (£102 million) and the commercial revenues in 2033 (similarly £193 million – retail revenue and car parking, drop off etc) are also double LLAOL's "commercial income" (£107 million). This doubling of revenues is against a background of passenger growth from 18 million to 21.5 million, i.e. 19%.	The Applicant cannot reconcile the Harpenden Society's calculations. The financial model calculations summarised in Table 5 of the <b>Funding Statement [REP5-009]</b> have been based on assumptions made by experienced aviation experts.
15.12	Funding	However, by contrast, the operating costs for the first full year's passenger numbers (2033) are £126 million which is a reduction of nearly £13 million compared to the LLAOL's 2019 operating costs (i.e. administration expenses excluding depreciation etc) of £139 million (including a concession fee of £57 million). The concession on a real basis will increase as a result of passenger numbers (to about £68 million on 19% growth). This implies	

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		other operating expenses will fall a little. We think that is highly unlikely given the growth and it would have implications for LR's claims about job growth if true.	
15.13	Funding	On a nominal basis, 2033's total revenues are £493 million, compared to LLAOL's 2019 revenues of £227 million and costs are (still) lower, £154 million compared to LLAOL's 2019 costs of £168 million (administration expenses less depreciation etc).	
15.14	Funding	For the sake of completeness (not that we believe it is valid) we modelled the LR cash flows across 2022-2072 too. On a "real" basis, it showed 2033 revenues of £346 million on a real basis and costs of £107 million (lower because the same cash flows are allocated over a longer period) and on a nominal basis it showed revenues of £429 million and costs of £133 million. This data does not change the above conclusions i.e. that the income assumptions appear to be extremely bullish and the expenses assumptions extremely "bearish" and, in the absence of any explanation for them, they are likely to significantly overstate the project cash flows.	
15.15	Funding	We have not attempted to make an assessment of the net present value LR's cash flows would generate (a proper test of whether they would peak the interest of investors) because it's not clear what period they relate to and the nonsense their results produce even on the most favourable interpretation of the period the cash flows relate to.	
15.17	Funding	Our overriding concern that the cash flows are nonsense is informed by the outcome for the one other infrastructure project LR has undertaken, the DART.	Please refer to response to ID 8.2 above.
15.18	Funding	In this case, the business case for that project was prepared by pwc, a, similarly, FCA regulated financial advisor.	
15.19	Funding	That project not only experienced a cost overrun of anything between £80-100 million (the actual number will not be known until LR's 2022/23 accounts are produced), i.e. between 35- 44% more than the original budget of £225 million but, even before it commenced operations, £185 million, 57-61% of the project costs were written off implying that future revenues and costs were massively overstated.	
15.20	Funding	The clear and unambiguous shortcomings in the DART business case, overseen by the LR board of directors, suggests that their ability to evaluate financial forecasts is limited and there is no reason to suppose their ability is any better for the cash flows attributed to this, more complex and significantly larger, project.	
15.21	Funding	Thus, we do not believe the ExA can satisfactorily conclude, on the basis of the cash flows and the accompanying notes, that there's a compelling case in the national interest to grant CA rights to LR as there is a very high risk that Phase 2 will never go ahead as LR will not be able to attract investors to underwrite the capital costs due to the poor returns.	Please refer to the response ID 8.8 above.
15.22	Funding	<p><b>Other airport infrastructure investments and Arup's letter</b></p> <p>We note that LR has provided an analysis of the airport financing market but we do not believe any weight can be attached to that. Firstly, the airports included in the analysis are all the singularly most important airport in the countries or regions referred to (Luton is the smallest airport in the London</p>	Given the Covid-19 pandemic and the maturity of the aviation market there have been comparatively few large (US\$1 billion +) airport financings in recent years. However, the Applicant's informal market soundings with several leading banks have confirmed that lenders and investors remain active in airport expansions. The fact that some of the examples given in Table 6 of the Funding Statement are the most important airport in that country or area is

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		region by contrast) and all of them, apart from Manchester airport, are considerably larger than Luton airport.	irrelevant. London Luton Airport now being just 30 minutes by train and DART from central London, places it in a very strong position.
15.23	Funding	A more nuanced look at the UK airport expansion market would include Manchester, where the £0.44 billion is actually part of a larger £1.3 billion project to double capacity from the mid 2010's passenger numbers (mid 20 millions), Stansted where a similarly low hundreds of millions of pounds is being spent to increase capacity from 28 million (2019) to 43 million (mid 2030's) and Gatwick where it is proposed to spend £2.1 billion to increase passenger capacity by 30 million.	It should be noted that the Manchester Airport project is principally about upgrading the infrastructure of the airport rather than motivated by capacity enhancement and the Stansted project is related to increasing capacity from 35-43 mppa.
15.24	Funding	LR is proposing, by contrast, a much higher £3 billion investment to increase capacity by less than all these airports (in fact less than 10 million). This project therefore represents a materially different and riskier airport project compared to any of the other UK project owing to its cost relative to the forecast growth potential.	The Proposed Development will increase capacity from 19mppa to 32mppa (13 mppa), not less than 10mppa. When making comparisons with other airport expansions it is important to also bear in mind that every airport is unique, and our Funding Statement confirms the Proposed Development is capable of being funded from the net income derived from operating the airport.
15.25	Funding	LR's remarks about infrastructure funds continuing interest in the airport market reflect today's market conditions and not those that might exist in 10 years' time which in the UK will be quite different, particularly the London market where Gatwick may well be using the North Runway and Stansted will have built its additional capacity against a backdrop of even the Jet Zero forecasts being scaled back considerably only one year after they were produced. We believe little weight should therefore be attached to this crystal-ball gazing	<p>Macroeconomic conditions and the general aviation markets may change considerably between now and when Phase 2 is built. To mitigate this uncertainty, we have sought specialist advice on passenger demand and aviation pricing and what may happen to the aviation market in the years ahead. For example, the demand forecasts for the Proposed Development take into account growth of Stansted to 43 mppa and the likelihood of an additional runway being provided at Heathrow or Gatwick Airports. The impact of the Jet Zero forecasts is addressed in response to Written Question NE.2.5.</p> <p>When the Applicant's advisers spoke to lenders, between now and the early 2030s, apart from Environment, Social and Governance (ESG) considerations becoming ever more important, they could see no other major underlying changes in aviation markets. As stated in paragraph 4.2.3 of the <b>Funding Statement [REP5-009]</b>, the Applicant's Green Controlled Growth Framework is seen positively as addressing this.</p>
15.26	Funding	<p>The ExA's post CAH2 action points</p> <p>ExA action point 2 mentions that the capital cost schedule is "very high-level". It refers to the lack of clarity in relation to the cost of the DART extension. In addition to the ExA's requests LR should also answer the following points:</p> <p>a. The lifecycle costs were not mentioned in the original Funding Statement yet they outweigh the capital costs that were quoted. Furthermore, they outweigh, even on a real basis the total investment that's been made in the airport to date. The only comment on them is in 4.1.3 where they are described as "ongoing lifecycle costs to replace assets". They are clearly of a capital nature and should therefore not be given so little scrutiny. Their timing will have a material impact on the investment return. We note that in 2033 parts of terminal 1 will be several decades old and even the project Curium investments will be 20 years old.</p> <p>53b. The extension of the DART is listed as a third party investment, presumably this means LR, the owner of the existing rail link. We presume this is why the Phase 2a and 2b third party investment expense is so high. The Phase 2 CA costs analysis sets out our concerns with respect to LR's ability to fund the CA costs. It would also appear that LR will need to find a very significant sum to fund the extension too. If, as we are led to believe, LBC won't be funding the project (and we think it's unlikely the Public Works</p>	<p>A response to the Capital cost schedule has been provided in the <b>Applicant's response to Written Questions Arising from the Hearings</b> (Nov 2023) <b>[TR020001/APP/8.146]</b>.</p> <p>In response to the Harpenden Society's two other questions:</p> <p>a) Indeed, lifecycle costs for the airport over the next 50 years will exceed the capital expenditure in nominal terms, but not in real terms as lifecycle costs will be incurred for the duration of the next 50 years, with the bulk of capital expenditure ending in 2040. To estimate the lifecycle costs the Applicant considered the historical level of investment the existing concessionaire has been making in lifecycle replacement (alternatively called capital maintenance expenditure, or Replacement Expenditure (Repex)) and then, acknowledging the fact that parts of the existing terminal will be several decades old, from 2030 increased the levels of lifecycle investment for the existing airport complex (buildings, runways, etc).</p> <p>For the new buildings works the Applicant methodically went through all the cost headings explained in the capital cost schedule in the response to the <b>Applicant's response to Written Questions Arising from Hearings [TR020001/APP/8.146]</b>, and considered what percentage of each asset would require lifecycle costs. For example, any form of compensation and foundations will not involve further expenditure, whilst the new buildings will need replacing at different points of time. The Applicant drew on Royal Institute of Chartered Surveyors (RICS) profiles of typical lifecycle, maintenance and</p>

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		Loan Board will advance the monies as it did for the original DART anyway), it will fall to third parties to do so. This cost should therefore be included in the project costs (if LR is, instead, confident third parties would fund this independently, we're sceptical, the existing DART, as an investment has failed and there's no reason to believe an extension would change that – the modal change isn't very significant – and neither LR nor LBC have a good financial track record recently).	operational costs (utilities and cleaning) for a number of capital investments, including airport terminals, fire stations, police stations and car parks. For others, the Applicant's advisers drew on their professional judgement.  b) Although the third party investor into the DART extension could be the Applicant, it is not assumed that it will be..
15.27	Funding	ExA action point 4 refers to details of interest rates provided in Table 5 (REP5-009). Whilst we cannot find any such references (only to references to CPI inflation index) the point is valid – have the cash flows been tested against realistic interest rates, or more specifically investors investment returns which will, of course, include a risk premium that will be higher than normal due to the unique risks attributable to this project, in the first place and, then, have those rates of return been stress tested.	As stated in response provided at ID8.7, yes the cash flows have been tested against realistic interest rates and investor returns.
<b>16. Michael Reddington [REP6-153]</b>			
16.6	Need Case	Note that in Need Case [AS - 125] Table 6.9 under 'Without Development' the Applicant has maintained the number of ATMs as a constant 138,100 per annum. This is misleading since under normal conditions – and as assumed in the Do Something case – Next generation and New generation aircraft will come into service just as they would when fleets cycle. Airlines are not going to keep maintaining or buying obsolescent aircraft. Thus larger aircraft will take more passengers per ATM, thereby reducing the ATMs and by association, overall noise impact even for the Do Minimum case.	The number of passengers per aircraft is partly a reflection of the size of aircraft but also of the load factors. As stated at paragraph 6.6.18 of the Need Case [AS-125], it is expected that airlines will want to largely maintain frequencies of service at the airport in the Without Development Case but the effect of the passenger cap will result in them being unable to carry more passengers and so see a reduction in load factor. The Without Development Case also does not assume the introduction of long haul routes at the airport and these routes operate with larger aircraft contributing to the overall expected growth in passengers per aircraft movement.
16.7	Need Case	Figure 6.13 of the Need Case reinforces this in that passengers per aircraft increases over time for the Do Something case but not for the Do Minimum.	See response above at ID 16.6.
16.10	Need Case	Paragraph 6.6.18 refers to the airport reaching 18mppa capacity in 2023. This contradicts Table 6.5 which shows 16.8mppa in 2023. The Airport Operator has been granted an extension to 19mppa which we assume is intended to be applied in 2024, as shown in Table 6.5.	This was a typo and the year in paragraph 6.6.18 should have read 2024.
16.11	Need Case	Table 6.8 gives the number of Passenger ATMs for 2024 as 105,000 for the Do Minimum and 110,890 for the Core Planning case. However since as stated in Paragraph 6.6.18 the airport will reach 18mppa capacity in 2023, and CAA figures for Passenger ATMs in 2019 (18mppa) was 112,209 this implies a reduction in ATMs of approximately 7,000 for the same passenger numbers. This trend is not likely to decrease either as fleets change.	As shown in <b>Figure 6.12</b> of the <b>Need Case [AS-125]</b> , the projections for 2024 reflect the commencement of fleet transition to new generation aircraft types over the period to 2024. However, for the reasons stated in response to point 16.6 above, this increase is not expected to continue once the airport reaches its passenger cap again, at which point airlines will need to trade off frequency and maintaining routes against relatively small reductions in the average number of passengers per movement.
16.12	Need Case	Currently, passenger aircraft do not fly direct from Luton Airport to Orlando or Cancun and the Applicant has advised in footnote 193 page 110 of the Need Case [AS - 125] that this used to be the case. The Applicant does not explain the reasons why this has stopped – was it lack of demand or a high Quota Count on departure/arrival because of the short runway, or some other reason. If so the expectation of a resurgence in long haul flights is presumably based on technological improvements (Next Generation/noise reduction/fuel efficiency perhaps) that are some distance into the future. Current projections imply that zero - emissions aircraft will not come into service until the late 2030s and even then, one of the greatest challenges is range. Yet the 32mppa includes some 2.2mppa long haul, which seems optimistic.	New generation aircraft, such as the B787 and A350 are less restricted by the length of runway at the airport than the types that previously operated long haul services. It is these new generation long haul types that are expected to operate from the airport once the rest of the terminal and airfield infrastructure is available at Phase 2 to make such services operationally attractive and viable.  The long haul projections do not rely on next generation zero emission aircraft.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
<b>17. Michael Reddington [REP6-154]</b>			
17.1	Climate Change / Greenhouse Gases	Applicant's response is noted. However is there not also a requirement for all domestic flights to be Net Zero by 2040 and does the Applicant not have to include this as a consideration?	Effectively this requirement is already accounted for by the inclusion of the Jet Zero carbon cost assumptions on a consistent basis for the purpose of demand forecasting as set out in the <b>Need Case [AS-125]</b> .
17.2	Air Quality	Applicant to respond to Actions #22 and #25 from ISH8 [EV15 - 013]. CLOSED in this Written Representation.	The Applicant considers that the issue raised has been covered in the <b>Applicant's Post Hearing Submission – Issue Specific Hearing (ISH8) [REP6-066]</b> , with reference to <b>Applicant's Response to Issue Specific Hearing 8 Action 22 - Proposed Odour Reporting Process [REP6-073]</b> .
17.11	Noise and Vibration	<p>Noted that Ground Noise Insulation proposal now included in REP4 - 042 Table 1.1 et al. Closed</p> <p>With regards to the Local Plan, it is not yet certain that the proposed development meets the Luton Local Plan.</p> <p>Action #23 on the Applicant from ISH9 [EV16 - 009] on 30th November 2023 states:</p> <p>“Explain how the proposed approach to increased noise levels relative to the 18 or 19mppa consents meets the requirements of Luton Local Plan policies LLP6Bv and LLP6Bvii.”</p> <p>It is important to note that the Luton Local Plan covers the time period from 2011 to 2031.</p> <p>ExA: We would greatly appreciate if this action was to be extended to include LLP6B iii and LLP6B iv:</p> <p>“LLP6B iii: are in accordance with an up - to - date Airport Master Plan published by the operators of London Luton Airport and adopted by the Borough Council; iv: ”.</p> <p>LLP6B iv: “they fully assess the impacts of any increase in Air Transport Movements on surrounding occupiers and/or local environment (in terms of noise, disturbance, air quality and climate change impacts), and identify appropriate forms of mitigation in the event significant adverse effects are identified;”</p> <p>In respect of LLP6B iii a Google search under Luton Borough Council produces only one such Master Plan, dated 2012 and which only looks to expand passenger numbers to 18mppa by 2031.</p> <p>In respect of LLP6B iv additional comments on the Need Case [AS - 125] are the subject of a separate Written Representation.</p>	The Applicant outlined how the Proposed Development meets the Luton Local Plan 2011 – 2031 Policy LLP6(B)(iv-vii) (Ref 5) in <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH9) [REP6-067]</b> , in response to ISH9 Action 23.
17.12	Legal	Applicant to confirm that the Section 106 agreement will secure that the Airport Operator will procure the before - and - after insulation testing of eligible	The section 106 agreement will secure <b>Draft Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> , which requires the development of a testing policy as described in paragraphs 6.1.33 to 6.1.35 of that document.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		premises.	
17.15	Noise and Vibration/Compensation	<p>Draft Compensation Policies, Measures and Community First Tracked Change Version [REP4 - 043] paragraph 6.1.16 confirms that the latest date for a property to be constructed and occupied (and hence ineligible for insulation compensation) is 16/10/2019. We consider this to be wholly unacceptable and have set out our reasons in Appendix B below.</p> <p>Note: From ISH8 [EV15 - 013] there is an Action #35 on the Applicant to respond to this issue by Deadline 6.</p>	<p>The Applicant has responded to this action in <b>Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH9) [REP6-067]</b> and an update to its policy at paragraph 6.1.16 of <b>Draft Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> has been made.</p>
17.17	Noise and Vibration	<p>It is noted that it is the responsibility of the Airport Operator (LLAOL) to produce the NAP but it is not clear what body scrutinises the NAP to ensure it complies with "Guidance for Airport Operators to produce noise action plans under the terms of the Environmental Noise (England) Regulations 2006 (as amended) July 2013". Since the airport expansion is the Applicant's proposal it would be reasonable to expect they would assume a review role of the amended NAP in addition to other Interested Parties.</p> <p>The current NAP (2019 - 2023) mentions noise insulation but does not give a timescale to complete all eligible properties. Neither does the draft 2024 - 2028 NAP. Both NAPS promise a testing regime (of which we have never seen results) as well as a satisfaction survey (of which we have not seen results either). Budgetary estimate for insulation in the 2019 - 2023 NAP was £100,000 but this has been increased substantially since first published. The NAP promises a reduction in overall noise contours in future years but an increase to 32mppa will only increase these contour areas significantly relative to the 'Do Minimum' scenario.</p>	<p>The responsibility for producing Noise Action Plans will remain with the Airport Operator as per the Environmental Noise (England) Regulations 2006 (Ref 6). Noise Action Plans must be submitted to the Department for Food and Rural Affairs (DEFRA) for acceptance and adoption by the Secretary of State.</p>
17.18	N/A	<p><b>Appendix B Moratorium Date for Eligibility for Insulation Introduction</b></p> <p>With reference to Draft Compensation Policies, Measures and Community First Tracked Change Version [REP4 - 043] paragraph 6.1.16 and discussions at ISH9 on 30/11/2023 about Applicant's response REP5-054 ID #71.</p>	<p>This matter has been addressed by the Applicant and an amendment to the draft Policy has now been made in paragraph 6.1.16 of <b>Draft Compensation Policies, Measures and Community First (Tracked Change Version) [TR020001/APP/7.10]</b>.</p>
17.19	Noise and Vibration/Compensation	<p>Moratorium</p> <p>The current position as stated in REP5 - 054 ID 71 is that any building constructed after 16<sup>th</sup> October 2019 will not be eligible for insulation under the provisions of the DCO Draft Compensation Policies, Measures and Community First Tracked Change Version [REP4 - 043] irrespective of its location within the noise contours. (16th October 2019 is the date when the DCO allegedly went out to formal consultation.)</p>	<p>. This matter has been addressed by the Applicant and an amendment to the draft Policy has now been made in paragraph 6.1.16 of <b>Draft Compensation Policies, Measures and Community First (Tracked Change Version) [TR020001/APP/7.10]</b>.</p>



I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
17.20	Noise and Vibration/Compensation	<p>Applicant's position</p> <p>The Applicant's position is that this is 'usual practice'. Our contention is that this is draconian.</p>	Please see response provided at ID 17.19 above.
17.21	Noise and Vibration/Compensation	<p>Our Position</p> <p>(a) The requirements for noise insulation will depend upon the building's location within noise contours. These requirements can vary depending on proximity to the runway. There is going to be either one overarching set of requirements that apply to all buildings (i.e. worst case) or a tiered system depending upon exposure.</p> <p>(b) The date of 16th October 2019 is a date when the DCO document was released for formal consultation. There was no guarantee that the DCO would be permitted so why would a builder take it upon himself to include additional constraints that may never be realised, within his design? Builders are not psychic.</p> <p>(c) In order to enforce additional constraints Host Authorities would have had to include any such constraints within the relevant Planning Department's processes and procedures PRIOR to the granting of Planning Permission ('PP') for any building;</p> <p>(d) This would necessitate Planning Departments' prior knowledge of the Applicant's specific construction requirements and an instruction (by whom?) to include within their procedures.</p> <p>(e) Did the Applicant inform the Host Authorities Planning Departments of any particular requirements for inclusion within Planning procedures in a timely manner to influence granting of Planning Permissions; AND with sufficient leeway to allow a builder to construct a property to completion before 16th October 2019?</p>	Please see response provided at ID 17.19 above.
17.22	Noise and Vibration/Compensation	<p>Extensions</p> <p>How would these constraints apply to building extensions that also require PP?</p>	Please see response provided at ID 17.19 above.
17.23	Noise and Vibration/Compensation	<p>Elapsed Time</p> <p>Even assuming the original date of 16th October 2019 was 'reasonable' [we think not] and the Applicant's requirements were clearly communicated to the Host Authorities, five years have elapsed since 16th October 2019 and the DCO is still not finalised since it is subject to a Planning Inspectorate decision. Therefore, it is not possible to say with any certainty that requirements will be added, amended or deleted related to the construction of properties affected by airport noise, thus rendering buildings constructed before 16th October 2019 ineligible for insulation, through no fault of their own.</p>	Please see response provided at ID 17.19 above.
17.24	Noise and	<p>Activity Schedule</p> <p>Attached is a simplified activity schedule (without durations) showing the steps required for a building to be completed before 16th October 2019,</p>	Please see response provided at ID 17.19 above.

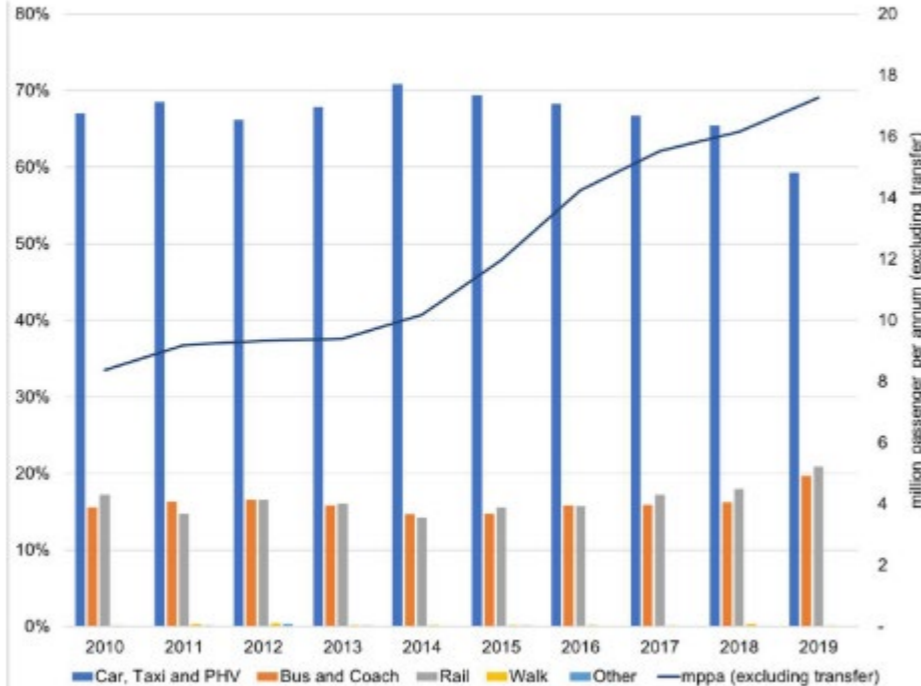
I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
	Vibrion/C ompensat ion	Also shown in the attached Activity Schedule are the steps we believe should be taken to secure the correct level of noise insulation.	
17.25	Noise and Vibrion/C ompensat ion	<p>Recommendation</p> <p>The moratorium date of 16th October 2019 should be dispensed with immediately. Once requirements are finalised and development is permitted, the Applicant should advise Host Authorities so that these requirements can be included in their Planning processes. Any Planning Permission granted thereafter would then secure that any new buildings are compliant with latest Regulations and hence ineligible for insulation under the DCO specification.</p>	Please see response provided at ID 17.19 above.
<b>18. Michael Reddington [REP6-155] Response to Issue Specific Hearing No. 9 [EV16 - 009] Action 34: Comments on Noise Insulation Delivery Programme [REP4 - 079]</b>			
18.2	Noise Compens ation	It may be useful for the Applicant to note the current progress of insulation under Project Curium (and by extension the 19mppa update?). This is shown in Appendix A below.	The purpose of the <b>Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079]</b> is to set out the information on the delivery program for the Proposed Development, not Project Curium or the recent approval to 19mppa.
18.3	Noise Compens ation	<p>[In reference to paragraph 1.1.7 of <b>[REP4-079]</b>]</p> <p>This paragraph states:  "...and all properties identified as experience [sic] adverse likely significant effects or ongoing significant effects on health and quality of life from ground noise would also be eligible for the prioritised air noise Schemes 1 to 3".  The eligibility of properties for compensation in respect of Ground Noise, and the actual monetary amount thereof, are different for Air Noise Schemes 1-5 and should not be conflated.</p>	It is noted that the schemes are different, but it is also the case that they overlap and certain properties will be eligible for multiple schemes.
18.5	Noise Compens ation	<p>[In reference to paragraph 2.1.2a of <b>[REP4-079]</b>]</p> <p>The setting up of a Noise Insulation Sub - committee (NIS) is potentially the most important initial step.</p> <p>It is expected the NIS will include The Applicant, LLAOL, Independent Chair, Local Authorities representatives, Acoustics experts, LADACAN,. The NIS will be responsible for preparation of Test documents, the Insulation Eligibility Document, and offer letter to residents in addition to deciding what properties are to be prioritised. We suggest strongly that there is a case (as for the GCG) that there should be a quorum defined, in order for the NIS to meet and have the necessary authority to make decisions.</p>	Noted. LLACC already has a Noise Insulation Sub Committee and the Applicant has made a commitment for this committee to be retained or replaced with an equivalent thereof for the purposes of fulfilling the role set out in <b>Draft Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> . The document now includes draft Terms of Reference for the Noise Insulation Sub Committee to apply at the point the new Noise Insulation Scheme is introduced.
18.6	Noise Compens ation	<p>[In reference to paragraph 2.1.2b-e of <b>[REP4-079]</b>]</p> <p>In addition to obtaining a list of all property owners eligible for any form of insulation the Applicant will have to extract from LLAOL the list of properties:  (a) Already insulated, when, and to what level of insulation  (b) Already approached, and agreed to accept insulation, and products either purchased or on order but not yet fitted</p>	Noted. It is anticipated that the Applicant and the airport operator will work together to transition from the current scheme to the proposed scheme and that knowledge on properties will be recorded and retained.

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		(c) Already approached and agreed to insulation but no products purchased. (d) Not yet approached.	
18.9	Noise Compensation	[In reference to paragraph 2.1.2.f of <b>[REP4-079]</b> If residents fail to respond to postal, personal or social media contact, they must be given the opportunity to re - apply after a time period. The current Scheme sets this at 5 years. We believe this is far too much especially if the property is subject to Significant levels.	Noted. The Applicant considers the reviews at five yearly intervals reasonable, proportionate and in line with industry best practice. See the <b>Draft Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> for further details on the review of the policies.
18.12	Noise Compensation	[In reference to paragraph 3.1.2 (3) of <b>[REP4-079]</b> There is one new concern and that is the issue of before - and - after testing. [REP4-042] states that a 'proportionate testing policy will be developed'. However, in discussions the Applicant has advised that the Airport Operator LLAOL will fund these tests. What cannot be allowed to happen is that LLAOL dictate this policy and timeframe based on minimising their costs.	The Applicant has made a commitment to develop a testing policy and regardless of who funds the testing, as the document which contains the commitment <b>Compensation Policies, Measures and Community First [TR020001/APP/7.10]</b> is secured by the DCO, the testing will need to be proportional.
18.13	Noise Compensation	[In reference to paragraph 3 of <b>[REP4-079]</b> Practicalities of Roll Out and Supply The Applicant has carried out market research on availability of equipment and personnel. Ignoring for the moment the practicalities of canvassing eligible properties, and estimating what the take - up could be, there is no detail of what insulation companies were approached, what their workforce size is, whether they could scale up to the demand, and whether their suppliers can do the same. This, allied to the proposal that only Schemes 1 - 3 are currently included in the Programme leaves a very big gap in our confidence of completion.	The market research has been informative, it was targeted towards businesses of a scale and capability to undertake the insulation works contract and feedback strongly indicates interest and likely competition for the opportunity. For reasons to do with confidentiality, data protection and future procurement competition rules we have chosen not to disclose the names and details of the companies approached.  It is not correct to say that only Schemes 1-3 are included in the programme. These schemes would however be the priority and have been looked at for the purposes of the accelerated roll out.
18.14	Noise Compensation	The current insulation contractor for LLAOL is Granville who have managed – we are verbally advised – to insulate 230 properties in 2023, a number we believe was limited by LLAOL's budget. What we are waiting to be advised is WHAT insulation was provided to these properties – one window or the whole property? We have attempted to gauge what size company Granville are through Company House records but they do not provide full accounts. Lates accounts ending 2022 show a significant drop in assets since 2019, i.e. the start of Covid.	This comment relates to the existing scheme, not the scheme proposed by the DCO application..
18.15	Noise Compensation	[In reference to paragraph 3.1.2 and 3.1.3 of <b>[REP4-079]</b> The Applicant has provided data on three schemes: 1. Insulated 300 this year and expects to insulate 400 - 450 per annum 2. Is currently completing 200 per annum 3. 50 per month (600 per annum)	Noted . To clarify, the Applicant's submission is making reference to current insulation schemes that are being provided on three different infrastructure projects elsewhere in the UK. The purpose being to demonstrate that despite the low volume of insulation being completed under the Luton Airport existing scheme it is possible to insulate higher volumes and higher volumes are being delivered on other infrastructure projects.
18.16	Noise Compensation	[In reference to paragraph Table 4.1 of <b>[REP4-079]</b>	<b>Table 4.1</b> of the <b>Applicant's response to Issue Specific Hearing 3 Action 26: Noise Insulation Delivery Programme [REP4-079]</b> provides an indicative programme for the entire Noise Insulation Scheme roll out, it is not separated into Phases of the Proposed Development.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response																																																												
		Table 4.1 provides a breakdown of what appears to be Phase 1 and includes Ground Noise.																																																													
18.17	Noise Compensation	[In reference to paragraph Table 5.3 of <b>[REP4-079]</b> Table 3 (Core Case) identifies Schemes 1 - 5 for 2027 - 2030 but does not include Ground Noise. The Applicant is looking to complete the insulation programme in approximately 7 years with most activity taking place from 2027.	Noted. The forecasts and models were produced only for the illustrative analysis and do not form part of the Environmental Statement Assessment.																																																												
18.19	Noise Compensation	[In reference to paragraph Conclusion of <b>[REP4-079]</b> Given that there are so many unknowns (installers, equipment suppliers, take - up, Development Permission date, current insulation scheme, to contractor but a few) it is understandable that the Applicant cannot undertake a detailed Programme of Works. However, we would recommend doing some further investigative work on specific installation contractors to assess their capability, scale, and solvency.	This work is ongoing and will continue in the period the Applicant has between now and notice being served under Article 44 of the DCO.																																																												
18.21	Noise Compensation	<p><b>Appendix A</b> 1. Current Status of Insulation Roll - out March 2023</p> <table border="1" data-bbox="442 884 1448 1241"> <thead> <tr> <th>Year:</th> <th colspan="2">Properties Approached*</th> <th>Properties Accepted</th> <th>Insulation Installed</th> <th>Notes</th> </tr> <tr> <td></td> <td>(from BAP<sup>[1]</sup> document 2023)</td> <td>(from AMR and LLA minutes 09/03/2023)</td> <td></td> <td></td> <td></td> </tr> </thead> <tbody> <tr> <td>2016</td> <td>30</td> <td>31</td> <td>11</td> <td>11?</td> <td></td> </tr> <tr> <td>2017</td> <td>111</td> <td>78</td> <td>38</td> <td>38?</td> <td></td> </tr> <tr> <td>2018</td> <td>79</td> <td>117</td> <td>31</td> <td>31?</td> <td></td> </tr> <tr> <td>2019</td> <td>40</td> <td>42</td> <td>34</td> <td>34?</td> <td></td> </tr> <tr> <td>2020</td> <td>0</td> <td>214</td> <td>43</td> <td>0</td> <td>Annual report states 43 accepted by end Q1 but moratorium on works due to Covid March-Dec 2020. None insulated</td> </tr> <tr> <td>2021<sup>[2]</sup></td> <td>30</td> <td>30</td> <td>?</td> <td>0</td> <td></td> </tr> <tr> <td>2022</td> <td>826</td> <td>930</td> <td>270</td> <td>116</td> <td>Not sure how many of these were the original 'accepted' properties from 2020.</td> </tr> <tr> <td>2023</td> <td>n/a</td> <td></td> <td></td> <td>184**</td> <td>184 <u>Projected</u> installations for 2023.<sup>[3]</sup></td> </tr> </tbody> </table> <p><b>Table 1: Noise insulation provided by LLAOL 2016-2023</b></p> <p>*There is a disparity between what LLAOL have recorded in their Annual Monitoring Report and what their acoustic specialist BAP have reported, so columns are shown. **Apparently 230 properties have been insulated in 2023.</p> <p><sup>[1]</sup> BAP = Bickerdike Allen Partners <sup>[2]</sup> Moratorium on works due to Covid Jan-Sept 2021. None insulated <sup>[3]</sup> Not sure if projected installations include the outstanding 154 (270-116) from 2022. 98 properties from 2018 have been re-contacted (in 2022 or 2023 ?).</p>	Year:	Properties Approached*		Properties Accepted	Insulation Installed	Notes		(from BAP <sup>[1]</sup> document 2023)	(from AMR and LLA minutes 09/03/2023)				2016	30	31	11	11?		2017	111	78	38	38?		2018	79	117	31	31?		2019	40	42	34	34?		2020	0	214	43	0	Annual report states 43 accepted by end Q1 but moratorium on works due to Covid March-Dec 2020. None insulated	2021 <sup>[2]</sup>	30	30	?	0		2022	826	930	270	116	Not sure how many of these were the original 'accepted' properties from 2020.	2023	n/a			184**	184 <u>Projected</u> installations for 2023. <sup>[3]</sup>	This is information on the current noise insulation scheme and is not related to the DCO...
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18.22	Noise Compensation	We have asked LLAOL for records of all properties that have been fitted, tested, and had a post - installation satisfaction survey carried out. This information is supposed to be provided by end January 2024.	This comment is unrelated to the DCO which is promoted by LLAL (Luton Rising).																																																												
18.23	Noise Compensation	The 2023 Eligibility Document "A11060_02_RP016_1.0" by Bickerdike Allan Partners ('BAP') shows the total of residential properties affected to be 2,509 with 14 non - residential properties. To date, 1,116 eligible residential properties out of 2,509, and 2 non - residential properties out of 14 have been contacted.	This comment is unrelated to the DCO.																																																												

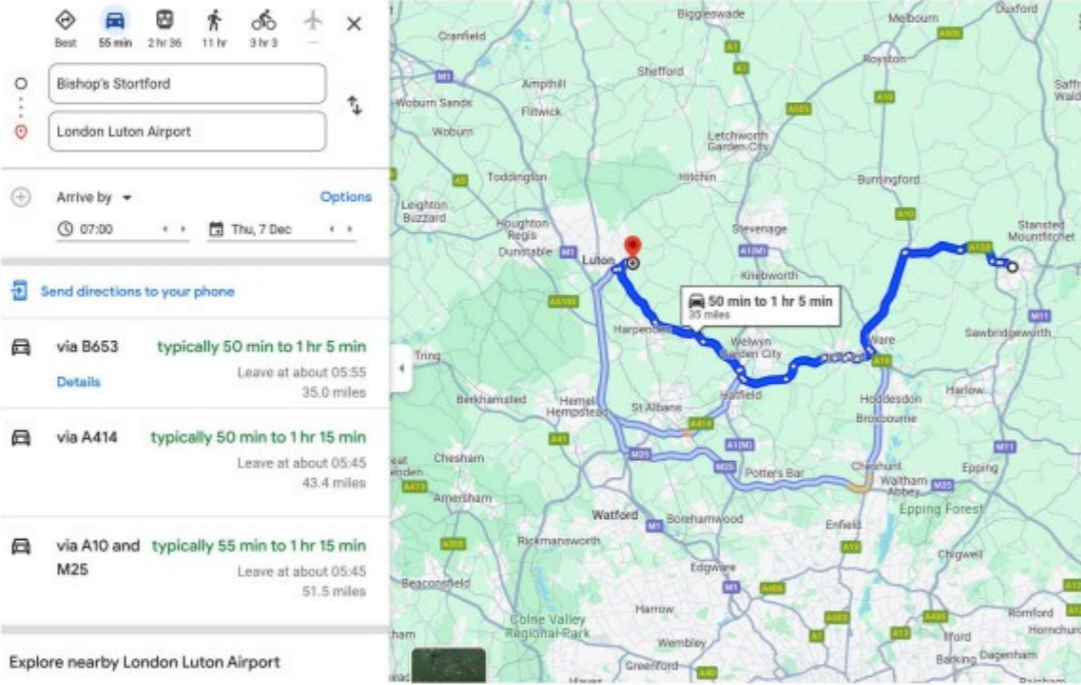
I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response																
18.24	Noise Compensation	A11060_02_RP016_1.0 does not identify those residences that have been insulated already but clarifies: "Of these no dwellings which previously had only bedrooms eligible now have all habitable rooms eligible".	This comment is unrelated to the DCO.																
18.25	Noise Compensation	<p>Of the 1,393 residential properties not yet contacted, some were identified as early as 2016[4] as needing some form of insulation - see below.</p> <table border="1" data-bbox="427 464 676 741"> <tr><td>2016</td><td>128</td></tr> <tr><td>2017</td><td>85</td></tr> <tr><td>2018</td><td>15</td></tr> <tr><td>2019</td><td>0</td></tr> <tr><td>2020</td><td>0</td></tr> <tr><td>2021</td><td>0</td></tr> <tr><td>2022</td><td>1074</td></tr> <tr><td>2023</td><td>91</td></tr> </table>	2016	128	2017	85	2018	15	2019	0	2020	0	2021	0	2022	1074	2023	91	This comment is unrelated to the DCO.
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<b>19. St. Albans Quieter Skies [REP6-142]</b>																			
19.1	Surface Access	<p><b>The use of mode share percentages.</b></p> <p>The 2012 masterplan for expansion was presented for public consultation in September – October 2012.</p> <p>Within section 3, – Public Transport Accessibility, there is the following statement:</p> <p><b>3.31</b> The Airport's national, regional and local multi-modal transport links include a well-developed coach network, excellent rail connections via Luton Airport Parkway station, and high quality connections to the local and strategic highway network. In 2010, 32% of passengers arrived or departed by train, bus or coach, while 16% travelled by taxi (see figure 3.1). LLAOL aims to increase the proportion of air passengers travelling to and from the Airport by public transport to more than 40% by 2017.</p> <p>Also within the 2012 Masterplan there are figures for the number of passengers forecast to use Luton Airport in a growth profile.</p>	<p>Mode share is an industry recognised measure of travel demand and is used by the Civil Aviation Authority to report passenger surface access travel patterns. The Proposed Development vehicular trip generation based on the forecast future year mode splits for passengers and staff are shown in Table 9.6 (passengers) and <b>Table 9.8</b> (staff) of the <b>Transport Assessment [APP-205]</b>.</p> <p>The mode share limits for passenger travel set out within the <b>Green Controlled Growth Framework [TR020001/APP/7.08]</b> require the percentage of passengers travelling by sustainable means (primarily bus, coach and rail) to increase from 38% to 45%. If this is not achieved and a Limit is breached, further growth at the airport cannot take place until the mode share Limit is achieved.</p> <p>The surface access mode share Limits within GCG correspond to the modelling assumptions for passenger and staff mode share utilised within the Transport Assessment. The transport modelling, and hence GCG, therefore correspond to the reasonable worst case scenario, for which the likely significant environmental effects are identified and reported within the Environmental Statement. GCG therefore provides certainty that the identified likely significant environmental effects will not be exceeded.</p> <p>The <b>Framework Travel Plan (FTP) [TR020001/APP/7.13]</b> sets out measures that the Applicant may deploy to promote sustainable transport to and from the airport and will include targets to seek further ambition beyond the GCG Limits on sustainable mode share that are refreshed on a five-yearly basis. Measures would be funded by the Sustainable Transport Fund (STF) <b>Sustainable Transport Fund [TR020001/APP/8.119]</b> with governance via the Airport Transport Forum Steering Group, with the STF funded via a levy on car parking at the airport.</p>																

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		<p>We believe the continued use of “mode share” as a percentage hides the true impact that Luton Airport traffic has on local roads.</p> <p>For example, if the aspiration of 40% of passengers using public transport by 2017 had been achieved, this would have been 60% not using public transport. 60% of a forecast 12.1mppa would be 7.26 million road passenger journeys.</p> <p>Passenger numbers and mode share percentages are published by the airport operator in the Annual Monitoring Reports (now renamed Sustainability Reports).</p> <p>Figures from these reports have been used by the applicant within their document 7.12 – Surface Access Strategy. Application reference TR020001/APP/7.12.</p>																																																													

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		<p data-bbox="421 226 1436 319">Figure 4.1: Passenger mode share between 2010 – 2019 and million passengers per annum (CAA data for Luton Sample size c.10k, final mode and annual passenger volumes)<sup>2 3</sup></p>  <p data-bbox="421 1008 1436 1270">As can be seen, passenger numbers using Bus, Coach and Rail in 2017 represented 33% of the actual 15.8mppa. 67% did not, which when combined with the higher passenger numbers that were a consequence of the incentivised growth meant that there were 10.58 million passenger road journeys – the original target missed by 45% just five years after it was published.</p> <p data-bbox="421 1312 1436 1533">Targets for mode share percentages – even if achieved – do not show the real world growth in road traffic caused by the passenger growth. The forecast passenger growth is far greater than the small and unambitious improvement in mode share towards public transport.</p> <p data-bbox="421 1575 1436 1690">The applicant seeks to increase the public transport mode share to 45% - which means 55% will not.</p> <p data-bbox="421 1732 1436 1942">55% of a 32mppa airport would be 17.6 million road passenger journeys - 67% greater than the actual number of road journeys made in 2017, and that figure is already 45% higher than they forecast in the Masterplan. We suggest that the B653 could not cope with such an increase and the communities along the route would suffer greatly.</p>	

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>The 45% target for public transport use is not ambitious. It needs to be higher, and expansion must be halted if the mode share targets are not achieved at key milestone dates.</p>	
19.2	Surface Access	<p><b>Reporting of Taxi and Passenger Drop Off numbers.</b></p> <p>We suggest that the impact of Taxi and Drop Off mode share numbers is underrepresented.</p> <p>When a passenger uses the drop off zone (or a taxi) then that vehicle makes two road journeys for each arrival and each departure. With the cost of airport parking being high, this is an attractive method used by many to access the airport.</p> <p>In 2019, 45% of passengers used "Drop Off", compared to 16% using car parks. (Source: Annual Monitoring Report 2019).</p> <p>The true impact on local roads of the large numbers using passenger drop off is being under presented.</p>	<p>The methodology used to estimate the airport trip generation is set out in <b>Chapter 9</b> of the <b>Transport Assessment [APP-205]</b>. For drop-off and pick-up trips, the passenger trip generation includes an inbound and outbound movement to represent the two movements associated with this mode. This is stated in note 2 beneath <b>Table 9.6</b> in the <b>Transport Assessment</b>.</p> <p>Taxi and pick-up/drop-off is an attractive access mode due to the proximity of the airport to populated areas i.e. Luton, Dunstable etc.</p>
19.3	Surface Access	<p><b>Roads used for surface access.</b></p> <p>The airport claims to have good access routes from the M1 – we leave it to others to question the capacity of the M1 to cope at peak times.</p> <p>The area which St. Albans Quieter Skies represents is in the south east quadrant of the compass around Luton Airport.</p> <p>We invite the inspectors to use traffic forecasting tools such as Google Maps to review the options given to drivers when travelling from the East. Starting points in towns such as Hertford, Bishops Stortford, Harlow all propose using the B653 Lower Luton Road for the final leg from Welwyn Garden City to Luton.</p> <p>We suggest that a 32mppa airport cannot be reliant on B roads for surface access.</p> <p>We note that Inspector Sarah Holmes drove this section of the B653 on the morning of the 27th November.</p> <p>Along that road she will have observed the terraced cottages fronting the road and within metres of it. The schools adjacent the road – St. Johns C of E school in Lemsford, St. Albans High School in Wheathampstead, Katherine Warrington</p>	<p>The distribution and assignment of passenger trips with the Proposed Development operational is based on CAA origin and destination data, as stated in the Trip Distribution section of Chapter 9 of the <b>Transport Assessment [APP-205]</b>. Future year trip distribution and assignment for staff, HGV and LGV trips are based on the movement patterns established from the 2016 strategic model (CBLTM-LTN) and 2017 (Vissim) base models.</p> <p>The CAA origin and destination data showed that only 2.4% of all passenger trips had an origin to the south-east along the Welwyn, Hertford, Broxbourne, Harlow corridor. For the future year with the Proposed Development operational, the proportion of additional passenger vehicles expected to have an origin in this area would be less than 2% in 2027, 2039 and 2043.</p> <p>The strategic model has been used to establish the routes that airport traffic would use to travel to/from the site from the origins and destinations. The <b>Trip Distribution Plans [REP5-037]</b> show the distribution of passenger and staff trips on the road network for the various scenarios, as determined by the strategic traffic modelling. This shows a proportion of trips would use the B653 to access the site, reflecting the small proportion of trips that would originate from the south-east corridor. The model does therefore reflect this movement on the local roads that would be used by traffic originating from the south-east corridor.</p>



I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>School in Batford, Noah's Ark pre-school in Batford.</p> <p>Example of the route suggested by Google Maps when travelling from Bishops Stortford.</p>  <p><b>Conclusion</b> We suggest that the data presented does not reflect the true impact on local roads of airport traffic when traveling from the East.</p>	

**20. John Smith [REP6-158] – Traffic and Transport – Thameslink Trains**

20.1	Surface Access	<p>This important and significant piece of news has just been reported and I strongly feel that it must be placed in front of the Inspectors, even though I may have missed the latest deadline for submissions.</p> <p>Here is an important and significant news item and here is the link: [URL removed]</p> <p>Brent Cross West station on the Thameslink line was opened by the Mayor of London on Sunday, 10th December 2023.</p> <p>This news and the figures therein will have a major impact on rail transport on Thameslink, particularly on passenger numbers, to and from Luton airport. This is not hypothesis nor an exception, this has now happened, and is hard fact.</p>	<p>The analysis within <b>Transport Assessment Appendices G – M [APP-202]</b> and the <b>Rail Impacts Summary [REP5-057]</b> included an increase in background demand to account for growth on the Thameslink corridor. The forecast increase in Thameslink passengers from the Brent Cross development [F/04687/13] is well within the allowed increased in forecast background demand used as part of the rail capacity assessment in appendix H [APP-202]. It should also be noted that this analysis was undertaken using pre-COVID demand as a baseline and as set out in previous responses rail demand has not yet recovered to these levels. The application for Brent Cross Cricklewood Regeneration Area is F/04687/13 and included an assessment of public transport impacts of the development.</p>
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I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>The £419 million project was due to take place in 2030, but was brought forward to put infrastructure in place before thousands move into new homes. It is a "doorway" to what will be a new town, and they are looking to have about 25,000 people working in the area, which is why they need a new station, and now they have got it.</p> <p>Direct Thameslink services will run to Luton Airport Parkway and Farringdon, providing a link to the Elizabeth line. Six trains will run every hour on weekdays and Saturdays, with eight at peak times.</p> <p>All the figures in the Application for the proposed airport expansion on passenger numbers on Thameslink will have to be re-assessed, re-worked, re-modelled, and represented for inspection, analysis and review. 25,000 people working near the station (described as a "doorway" to a new town), will result in huge numbers of new rail passengers on Thameslink.</p>	
<b>21. Stop Luton Airport Expansion Deadline 6 Submission - Bartlett Square Development [REP6-143]</b>			
21.3	Planning	Given the above SLAE now question the feasibility of the amount of office space at Green Horizons Park or Bartlett Square required. The office space could be combined and adds weight to a review into the viability of the Airport Access Road project to be reviewed by LBC / LR. Is there an alternative plan if the road is no longer feasible, or if it's delayed?	Green Horizons Park and Bartlett Square are subject to their own planning permissions and do not form part of the Proposed Development. Any amendments to these approved schemes to respond to the Proposed Development would be subject to separate applications under the Town and Country Planning Act and would be determined on their own merits. The Airport Access Road is included within the Proposed Development as it is required to access the expanded airport.
21.5	Planning	SLAE recognise the opportunity now offered to LR and LBC to re-plan Green Horizons Park (GHP), Terminal two and associated airport infrastructure, and save on the cost of building the Airport Access Road. With a reduced GHP footprint and that a six and nine storey office block at Bartlett Square might be overkill, they could now combine all the office functions within the Barlett Square development. Replace the Airport Access Road with Terminal Two, associated airport infrastructure and non-office elements of GHP. It would also give them the land for additional car parking and avoid building over the current Wigmore Valley Park and enable LR to expand the park as per the current plans and fulfil their green pledges.	See response provided at ID 21.3 above.
21.6	Planning	Although Luton Rising claim there is no direct link between Bartlett Square (LBC ref: 18/00271/EIA) and the Proposed Development, SLAE have found no references to a review of the office space as a result of homeworking and reduced office requirements. As seen by the reduction of the Green Horizons Park (GHP) footprint size, it could now be assumed that the Barlett Square office buildings could accommodate the planned GHP office allocation.	See response provided at ID 21.3 above.
21.7	Planning	SLAE also note that the 23/00259/DOC phase 1 planning application will bring amendments to 18/00271/EIA as the DART terminal now occupies land that was designated as offices in the original planning permission.	Bartlett Square does not form part of this DCO application.

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
<b>22. Peter White [REP6-162]</b>			
22.1	Employment and economic issues  Funding	<p>The Chief Executive Officer (CEO) of Luton Borough Council (LBC) in his presentation mentioned the reasons why this application should be passed for the financial benefits to Luton.</p> <p>The charitable organisations/health agencies, who spoke, all supported the application for what it would do for the poor and needy of Luton.</p> <p>None of these mentioned the benefits for the rest of the Luton residents. There was no mention of how the dividend paid from the concession fee would grow to benefit front line services and the staff employed there. There was no mention of job creation in any of the other public facing LBC departments, just at the airport.</p> <p>There was mention by the CEO of the amount of properties in Luton that do not pay Council Tax, due to financial circumstances.</p> <p>If this application is passed, and the financial benefits do not accrue to LBC via the applicant, then any financial shortfall will mean more direct service cuts, or increases in Council Tax to those who do pay. This will directly lead more families into the poverty gap that the CEO wants to end.</p> <p>Is it a good idea to make a bad situation better for a small minority of residents, or ensure that new borrowing will not lead to other residents having to fall into poverty to meet the debts of the applicant, if that borrowing cannot be serviced?</p>	<p>Luton Borough Council is not reliant on additional income from the Applicant, arising from this application for development consent, in its future budgeting.</p> <p>Notwithstanding this, the Applicant notes that the ExA has, on several occasions, made clear during the Examination that the wisdom or otherwise of investment by any party, public or private, in the delivery of the Proposed Development should it be consented, is not a matter for the ExA to consider as part of this examination.</p>
22.2	Employment and economic issues  Funding	<p>The second point I raised was to question the logic that this application is the keystone to relieving the poverty in Luton.</p> <p>I raised the point that the applicant and its parent LBC, thought nothing of spending £313 million, plus interest, on constructing the Direct Air Rail Transit (DART) from Luton Parkway station to the central terminal area at the airport.</p> <p>This project has no effect on increasing passenger numbers, and therefore there is no financial benefit to the people of Luton.</p> <p>The funds to pay for that scheme would have come from the concession fee income, if that income stream wasn't hit by Covid-19. They now come from the solvency fund arranged for the applicant by LBC.</p> <p>That money could have all flowed into helping to deal with real term poverty now, not in the future.</p> <p>The applicant has had the opportunity to tackle the poverty issues in Luton, but chose to divert funds to the DART project.</p> <p>What guarantee is there that it will not do the same with any income from an expanded airport?</p>	<p>No funds were diverted from matters relating to tackling poverty to fund the construction of Luton DART. The Applicant invests to secure the future of the airport, the investment in Luton DART was part of the Applicant's planning strategy which had been approved by the Council in its role as shareholder.</p> <p>The Applicant stands by its position that investing in the future expansion of its major asset, to unlock significant economic benefit for the Luton and the surrounding area is the best way that it can positively contribute to relieving poverty in the area.</p>
22.3	Planning  Green Controlled Growth	<p>The third point I raised, was to ask if it was possible under the process to ensure that the LBC planning control could be removed as the authority for the actual development plans of the project.</p> <p>It was made clear on the night and indeed over the whole consultation process from Day 1, that LBC would not allow anything to stop their expansion goal. I therefore believe that anything that is proposed by the applicant will be passed by the Development Management Committee.</p> <p>This Committee has shown on other applications by the applicant and the airport operator, that despite environmental concerns raised by local</p>	<p>This matter was responded to by the Applicant during Issue Specific Hearing 9 as outlined in Paragraph 3.2.18 and 3.2.19 of the <b>Applicant's ISH9 post hearing submission [REP6-067]</b>.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>inhabitants in Luton and the surrounding areas, and indeed by members of other political parties, they have passed the application every time.</p> <p>I believe this shows clear bias by LBC, and that to ensure that all the supposed binding environmental limits of the Green Controlled Growth aspect of this application are met and abided by, and then a neutral council must be put in charge of the planning process if this application is passed.</p>	
<b>23. Environment Agency - Post-hearing submission - ISH8 Action 32 [REP6-110]</b>			
23.1	Environment – drainage	<p><b>Discharge to ground</b></p> <p>We are currently assessing the deadline 4 and 5 documents that have been submitted in support of the application and will provide detailed comments on these to the applicant through our ongoing engagement.</p> <p>We support the preferred option including the discharge to Thames Water and have made progress with the applicant regarding the environmental controls required for the reserve option. We are now more confident that, with the inclusion of additional potential processes which have been identified by the applicant in the DDS and Design Principles, and requirement 12 in place, that the reserve option may be acceptable after further detailed design.</p> <p>We support the applicant's commitment in the design principles for no harmful or hazardous substances to be discharged to ground, which gives us more confidence in the scheme.</p> <p>Regarding future permit applications, we have made progress with the applicant and are more confident that a permit in future may be granted however, we are unable to predetermine any permits as the necessary level of detail has not currently been submitted. This is a risk the applicant is aware of.</p>	<p>The Applicant is engaging continuously with the EA on both the preferred and reserve options. Since Deadline 6, the EA has provided further comments on the <b>Design Principles</b> which have been considered and reflected in the update to be submitted at Deadline 7 <b>[TR020001/APP/7.09]</b>.</p> <p>The EA has been consistent with the Applicant on its position that the EA would not be able to pre-determine any permit applications before they are submitted, particularly with the works proposed not likely to come forward for several years, during in which time regulations and/or guidance may change.</p>
23.2	Environment – drainage	<p><b>Works in and around the landfill</b></p> <p>We have issued guidance regarding drilling through landfill for the applicant to consider and include in their strategy and documents. We are currently reviewing the deadline 4 and 5 submitted documents and will have comments for the applicant regarding these in due course. We still have some concerns regarding the works in and around the landfill, however, are working with the applicant to come to a solution.</p> <p>We are currently named in the DCO under requirement 16 which will allow us to further comment on the Foundation Works Risk Assessment and the Remediation Strategy at the detailed design stage.</p> <p>We look forward to receiving the Waste recovery plan and will work to progress this document in line with Statement of Common ground updates.</p>	<p>The Applicant continues to engage with the EA on outstanding matters, which the Applicant is looking to primarily address through updates to the <b>Design Principles [TR020001/APP/7.09]</b> (submitted at Deadline 7).</p> <p>The guidance on drilling through landfill was considered in updates to the <b>Outline Foundation Works Risk Assessment [REP6-007]</b> and <b>Outline Remediation Strategy [REP6-005]</b> submitted at Deadline 6.</p> <p>The Waste Recovery Plan has also now been submitted to the EA for review.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
23.3	Environment – drainage	<p><b>Attenuation and Storage tanks</b></p> <p>Regarding the storage tanks still proposed within the landfill. We would have a high preference that all storage tanks are removed from the landfill area to reduce the high risk of tank failure and consequent discharge due to settlement within the landfill.</p> <p>If the applicants move forwards with this aspect of the proposal, the design of the storage tanks will be critical to reduce this risk. We are currently reviewing the design principles and deadline 4 and 5 documents to determine if they address our concerns relating to this topic and will provide comments directly to the applicant.</p>	The Applicant continues to engage with the EA on outstanding matters, which the Applicant is looking to primarily address through updates to the Design Principles (submitted at Deadline 7).
23.4	Environment – drainage	<p><b>Water Framework Directive compliance assessment</b></p> <p>We agree with the applicant's response regarding this topic and were happy with the applicant's comments in response to our concerns. This has been captured within the statement of common ground for submission at deadline 6.</p> <p>There are still some water resource related topics to come to agreement with however we are working with the applicants to come to a solution on these.</p>	The Applicant continues to engage with the EA on outstanding matters, which the Applicant is looking to primarily address through updates to the Design Principles (submitted at Deadline 7).
<b>24. Buckinghamshire and Milton Keynes Association of Local Councils [REP6-080]</b>			
24.1	Economics and employment	<p><b>ECONOMY:</b></p> <p>A recent report by the New Economics Foundation, peer reviewed by economist John Siraut, casts doubt on many of the aviation industry's key claims that have not been reviewed by the Government since 2012. The boom in air travel since 2015 has failed to increase UK productivity or GDP growth, while business use of air travel – a key argument for expansion – has declined by 50% since 2013. Similarly, air travellers spend £32 billion more abroad than foreign travellers spend when visiting the UK. This compounds regional inequality and damages the domestic tourism sector.</p> <p>Job creation could compensate for some of these impacts, but even before the pandemic, at a time of record passenger numbers, jobs in the air transport sector had declined since 2007. In fact, the sector is one of the poorest job creators per pound of revenue, with wages lower than they were in 2006.</p>	This report has already been responded to in the <b>Applicant's Response to Written Representation – Part 4 – Appendix (NEF) [REP2-038]</b> .
24.3	Climate Change and Greenhouse Gases	<p><b>CLIMATE CHANGE:</b></p> <p>Reliance on Sustainable Aviation Fuels (SAF) is an ineffective strategy towards reducing Greenhouse Gas Emissions</p> <ul style="list-style-type: none"> <li>• At least as much CO2 is emitted when biogenics are burned as from kerosene, so any life-cycle emissions savings come from either/or: <ul style="list-style-type: none"> <li>o The assumption that CO2 has been eliminated during the production process owing to reliance on green energy, or 'offset'. Both assumptions are unsound owing to there being insufficient green energy to meet all demands,</li> </ul> </li> </ul>	<p>Carbon emissions for aviation presented in <b>Chapter 12</b> of the <b>ES Greenhouse Gases [REP3-007]</b> are modelled on the Jet Zero Strategy (JZS) High Ambition scenario that represents current UK Government policy on aviation.</p> <p>The use of sustainable aviation fuels (SAFs) and the creation of zero emissions flights (ZEF), which considers the use of hydrogen as an aviation fuel, are two of the core policy measures presented in the JZS.</p>

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response
		<p>and trees etc planted for offset schemes require up to 40 years to mature (if they survive) to meet the schemes' objectives.</p> <ul style="list-style-type: none"> <li>o The Royal Society concludes that "Life Cycle Analysis tools can be very flexible in how they are applied, which would significantly produce different results depending on how the boundaries are set." In other words, LCA claims of significant carbon reductions are unreliable.</li> <li>• Aviation's demand for a sufficient supply of SAF will require a hugely disproportionate and impractical share of renewable electricity and biomass:             <ul style="list-style-type: none"> <li>o Biomass competes for land with food, offsetting / Biodiversity Net Gain projects, renewable energy, carbon capture, etc. For example, The Royal Society estimates that to replace all UK aviation fuel with biomass, over half of UK agricultural land would be required.</li> <li>o Waste cooking oil: The Royal Society reports that about 250million tonnes of used cooking oil is produced each year in the UK. Much is currently used in livestock feed and to manufacture soap, detergents, clothes and makeup. If 100-200m tonnes were diverted to aviation, it would produce only 0.3 – 0.6% of the total amount of jet fuel needed for the UK.</li> </ul> </li> <li>• Synthetic e-kerosene             <p>Two conditions are essential for e-kerosene to have zero greenhouse gas emissions: a) hydrogen needs to be produced using additional renewable electricity (so-called 'green hydrogen'); 2) carbon dioxide needs to be captured from the atmosphere. e-kerosene is a more scalable source of renewable energy than biogenics, and is likely to reduce the formation of contrails, a significant climate warmer, but this requires further study. There is sufficient renewable electricity potential within the European Union to produce enough e-kerosene to decarbonise aviation by 2050. However, the significant land and sea area required and water demand for production of e-fuel (which is an inefficient use of electricity compared with direct electrifications) means that policymakers need to reserve green hydrogen and e-fuels for aviation, at the expense of other sectors.</p> </li> <li>• Hydrogen as aviation fuel             <p>The use of green hydrogen to replace kerosene for jet fuel alone requires about three times the total current renewable electricity in the UK.</p> </li> </ul>	<p>As such, the assumptions that underpin the Jet Zero High Emissions scenario are assumed to be an appropriate basis on which to model future GHG emissions from the Proposed Development.</p> <p>To support the JZS, Government has committed to introducing a SAF mandate setting targets for the use of SAFs. Following a second consultation on the SAF mandate in the first half of 2023, Government has now placed an obligation on suppliers to reduce the carbon intensity of jet fuel starting in 2025 and growing to reach the equivalent of at least 10% SAF use by 2030. Targets from 2030 onwards are to be set in due course however to kickstart the industry, and promote commercial scale production of SAFs in the UK, Government have invested £165m into an Advanced Fuels Fund and committed to provide further funding.</p>

## REFERENCES

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Ref <sup>1</sup> London Gatwick Airport (2023), Gatwick Airport Northern Runway Project Environmental Statement Chapter 14: Noise and Vibration

Ref <sup>2</sup> London Gatwick Airport (2023), Gatwick Airport Northern Runway Project Environmental Statement Appendix 14.9.7: The Noise Envelope

Ref <sup>3</sup> Night flight restrictions at Heathrow, Gatwick and Stansted: Annex F Guidelines on Dispensations, Department for Transport, July 2014

Ref <sup>4</sup> DCLG, Section 78 Appeal (2014)

Ref <sup>5</sup> Luton Borough Council (2017), *Local Luton Plan 2011-2031*.

Ref <sup>6</sup> Her Majesty's Stationery Office (2006), *The Environmental Noise (England) Regulations*