

| Principal Areas of Disagreement Summary Statement (PADSS) from Buckinghamshire Council (BC) | | Version Number: 5 Submitted at: 23/01/2024 | | |
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| 2.1 Climate Change and Greenhouse Gases | | | | |
| 2.1.1 | Insufficient sensitivity testing of Jet Zero Strategy (JZS) scenarios | Need to reflect the uncertainty and variables around delivering and achieving the Government's JZS for decarbonising aviation by 2050 within the greenhouse gas (GHG) assessment. | Sensitivity testing for Sustainable Aviation Fuels, Faster Growth and Next Generation Aircraft scenarios to be undertaken; GHG emissions to be assessed on a quantitative basis; and the cumulative emissions assessed accordingly. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. This matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions. |
| 2.1.2 | Environmental Scrutiny Group (ESG) membership and remit and Technical Panel membership | Given the potential for future climate change, noise, surface access and health related impacts associated with surface access to be felt by Buckinghamshire residents the absence of the Council from the proposed ESG and associated Technical Groups is of great concern. | BC to have a seat on the ESG and to have a position for a suitably qualified and experienced technical officer within the noise, climate change and surface access Technical Panels. See point 2.10.3 in this PADSS regarding a change to the draft DCO (dDCO) Paragraph 20 | |
| 2.2. Transport and Highways | | | | |

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| 2.2.2 | Robustness of traffic assessment re: A41/B489/B488 route by the Applicant. | Concerns regarding the level of increase of early morning traffic at the Ivinghoe junction and the absence of appropriate mitigation. | Mitigation and/or enhancement at the B488/B489 junction. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions |
| 2.2.3 | Lack of public transport services connecting Buckinghamshire and London Luton Airport | BC is concerned that the level of public transport provision is inadequate. As such, BC is concerned that the provision will not support BC's requirements for sustainable transport and modal shift and | Whilst the Applicant has included local bus route (61) within its bus and coach strategy the 3-hourly service does not go far enough to addressing its concerns over public transport provision. The provision of a more frequent 61 service, alongside a high speed, high quality, high frequency bus | BC is willing to continue to engage positively with the Applicant with a view to addressing its remaining concerns within the Examination timeframe. |

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| | | reduced traffic derived air pollution. | <p>service between Aylesbury and the airport would address this concern.</p> <p>An update to the Bus and Coach Study should also be secured as part of the Framework travel Plan.</p> | |
| 2.2.4 | Clarification of construction traffic impacts and controls in Buckinghamshire | Uncertainty of the full extent of the impacts of construction traffic and activities from the Scheme on the Buckinghamshire highway network. | <p>Consultation on the further development of the Construction Traffic Management Plan (CTMP), which should incorporate specific targets for each mode to expand on the current division between sustainable and unsustainable modes. 'Unsustainable' modes should be disaggregated into types, with associated data.</p> <p>Consultation on freight routing and suitable controls to be included within the CTMP. This needs to be informed by quantitative trip generation information to identify the</p> | BC is willing to consider these matters agreed should the amendments to the dDCO as proposed by the ExA be accepted i.e. consultation on the discharge of the CTMP and CWTP. |

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| | | <p>source, route and type of construction HGV movements.</p> <p>The Outline Construction Workers Travel Plan (CWTP) [APP-131] to be updated to show how the Buckinghamshire highway network is to be affected; with subsequent testing within the updated traffic modelling.</p> | | |
| 2.2.5 | Clarification of the operational HGV movements in Buckinghamshire | For post-build movements, BC note that the increase in HGVs (rising from 133 currently to a projected 2043 figure of 268) is unlikely to impact upon local roads in Buckinghamshire. A large proportion of the projected HGV flows appear to serve the extended passenger terminal facilities – these do not identify Buckinghamshire as | Further information to identify the generation of operational HGV movements – routeing and quantum required. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |

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| | | being a generator of these movements, but BC would welcome clarification of this. | | |
| 2.3 Noise and Vibration | | | | |
| 2.3.5 | Noise controls within CTMP | Confirmation of the noise impacts of Scheme construction on receptors within Buckinghamshire. | BC is seeking additional clarity on the controls that will be incorporated within the CTMP as it is developed. | BC is willing to consider these matters agreed should the amendments to the dDCO as proposed by the ExA be accepted i.e. consultation on the discharge of the CTMP. |
| 2.4 Air Quality | | | | |
| 2.4.1 | Air quality controls within CTMP | Confirmation of the air quality impacts of Scheme construction on receptors within Buckinghamshire. | BC is seeking additional clarity on the controls that will be incorporated within the CTMP as it is developed. | BC is willing to consider these matters agreed should the amendments to the dDCO as proposed by the ExA be accepted i.e. consultation on the |

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| | | | | discharge of the CTMP. |
| 2.4.3 | Securing modal shift to enhance air quality | Desirability of enhanced public transport provision to connect Buckinghamshire residents to the airport both for leisure and commuting, to support modal shift in the interests of reduced traffic derived air pollution. | Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the requirements of BC's Transport and Highways officers. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |
| 2.5 Economy, Tourism and Employment | | | | |
| 2.5.1 | Securing sustainable modes to access employment opportunities | Need to provide accessibility to employment opportunities at Luton Airport via sustainable modes. | Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the requirements of BC's Transport and Highways officers. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |

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| 2.5.3 | Securing local employment and training opportunities linked to job opportunities | BC has concerns regarding the securing mechanism for the LEDWG and the broader ETS. | Applicant should review the securing mechanism outlined in Mitigation Route Map which currently only secures Section 2 of the ETS through a S106 Agreement. | Notwithstanding this concern the matter can be considered agreed should the proposed amendments to the dDCO proposed by the ExA be accepted i.e. a requirement securing the ETS. |
| 2.8 Health and Community | | | | |

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| 2.8.1 | Health impacts of airport related traffic movements | BC maintains the view that the proportionate change in vehicle movements, particularly in the early hours of the morning, carries substantial risk that adverse health effects will manifest, which may be significant depending on the capacity of affected individuals to adapt to changes. | Qualitative assessment of the health implications of changes in noise and particulates, specifically in the context of impacts on human health. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions |
| 2.8.2 | Assessment of health impacts of construction traffic and activities | Impact of severance, noise, air quality and reduction of amenity caused by construction traffic, in-particular associated HGV movement within Buckinghamshire. Particular focus required on the Aylesbury AQMAs and | Expansion of the study area for traffic related health and community impacts to include Buckinghamshire County highway network, following application of traffic modelling for the Buckinghamshire County highway network, in accordance with the requirements presented in the Transport and Highways sub-section. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key |

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| | | receptors along the preferential access route to the Airport (A41, B488, B489). | Review of suitable mitigation to address significant effects that may be identified following the updated analysis; including any relevant environmental appraisal of interventions that might be proposed (e.g. Off-Site highways works at Ivinghoe). | point of contention as has been set out in the Council's previous submissions |
| 2.8.3 | Securing sustainable rural accessibility | Need to support Buckinghamshire rural communities' accessibility and connecting people with limited access to private vehicles to key services and employment. | Delivery of an express public transport service between Aylesbury and the Airport, in accordance with the requirements of BC's Transport and Highways officers. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |
| 2.9 Cumulative Effects Assessment | | | | |
| 2.9.1 | Cumulative aircraft noise | There is no consideration of the potential cumulative impacts of aircraft noise for residents under Heathrow, Stansted and Luton flight paths. | Address the gap in the assessment relating to cumulative interactions from the potential intensification of usage of the Luton flight paths linked to the Scheme for residents variously beneath flight paths for Heathrow, Stansted and | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be |

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| | | | <p>Luton (I.e. without/prior to FASI-S).</p> <p>In future baseline scenarios, a need for the CEA to consider the mitigation approaches that might be necessary following reconfiguration of airspace on residents in Buckinghamshire, including cumulative aircraft noise for residents variously beneath flight paths for Heathrow, Stansted and Luton.</p> <p>Explanation of how the Applicant intends to integrate the CAA's CAP1616 and expansion whilst mitigating noise impacts. Consideration of how airspace change will impact local communities, including with possible implications for the area's heritage assets.</p> | that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions. |
| 2.9.2 | Means to include forthcoming airspace changes within cumulative assessment | BC raises concerns surrounding the change required to allocate more airspace for safe departures and arrivals across the south-east of England airports to allow expansion. | | |
| 2.9.3 | Cumulative impacts of major | Buckinghamshire communities are already experiencing | Further analysis of the potential cumulative impacts of | The Applicant has indicated that they are not in |

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| | infrastructure projects | issues associated with groundworks and spoil destinations linked to HS2 and EWR. | construction activities with EWR and HS2. | agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions. |
| 2.9.4 | Currency of the list of other developments considered in the cumulative assessment | Emphasis on the need to ensure that the scope of the CEA is revisited to ensure that information relating to other developments is updated as close to decision making as practicable; and to capture any changes that the Applicant proposes to the Scheme that introduce new | The Applicant should review and update the list of other developments considered in the cumulative assessment and provide time for these to be confirmed with the host and neighbouring authorities. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's |

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| | | areas of works (e.g. at Ivinghoe). | | previous submissions. |
| 2.10 Draft Development Consent Order | | | | |
| 2.10.3 | Absence of Buckinghamshire Council from membership of the Environmental Scrutiny Group and its associated Technical Panels | Given the remit of the Environmental Scrutiny Group (ESG), particularly in relation to any approved increase in the Night quota cap (requirement/paragraph 27 of Part 4 of Schedule 2 of the draft DCO) and when considering the current uncertainty regarding the submitted traffic data, BC would request its inclusion in the ESG and its associated Technical Panels moving forward, in order to allow it to | Amending of Requirement 20 of the draft DCO [REP2-003] to include Buckinghamshire Council as a member of the ESG. Amending the Terms of Reference for the Technical Panels to include Buckinghamshire Council as part of the Technical Panel additional members. | The Applicant has indicated that they are not in agreement with the Council on these matters with no further discussions planned. It may be that this matter cannot be resolved but it remains a key point of contention as has been set out in the Council's previous submissions. |

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| | | represent its communities' best interests effectively. | | |
| 2.11 Draft S106 Agreement | | | | |
| 2.11.1 | Securing of membership of the ATF and an update to the Bus and Coach Study. | The Council is concerned that without appropriate securing mechanisms its membership of the ATF cannot be guaranteed, and the bus and coach study may not develop into a more defined mitigation strategy. | Securing of membership of the ATF through the S106 agreement. Inclusion within the Framework Travel Plan of a requirement for the Bus and Coach Study to be updated and developed further into a strategy. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |
| 2.11.2 | The value of the TRIMMA fund is insufficient and should be index linked, whilst a definition of a 'relevant Highway Authority' in TRIMMA terms is missing from the S106. | The Council is concerned that the scale of the TRIMMA fund is insufficient to repay initial survey work and fund design development, notwithstanding the need to also fund the mitigation proposals themselves. | Increasing and index linking the value of the TRIMMA fund. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |

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| | | <p>The decision to not index link the TRIMMA further exacerbates this issue.</p> <p>The absence of a definition of relevant highway authority specific to the S106 raises doubt over the Council's ability to make claims under the RIF.</p> | <p>Providing a definition of a relevant highway authority specific to the S106.</p> | |
| 2.11.3 | Definition of 'Local Area' within the S106. | This only refers to the 'Aylesbury Vale area of Buckinghamshire Council'. The Council considers that to align with the Local Procurement Protocol, the Employment & Training Strategy and the Community Fund area that this definition should refer to the 'administrative area of Buckinghamshire Council' | Amending the definition of Local Area to refer to the administrative area of Buckinghamshire Council. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |

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| 2.11.4 | Inability to access funding as an additional member of the GCG Noise Technical Panel | The Council is concerned that as currently drafted Schedule 5 of the S106 does not provide a route for new members of the Noise Technical Panel (as a result of future changes to the noise contours) to access funding to undertake their role. | Schedule 5 ('Green Controlled Growth Funding Elements') should be amended to ensure that future appointed members of the technical panels are able to access the funding available to the inaugural members. | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |
| 2.11.5 | Securing of the spending commitments within the 'Draft Compensation Policies & Measures and Community First' document. | The inability of the dDCO to ensure an equitable distribution of the Community Fund | The Draft Compensation Policies & Measures and Community First document should be appended to the S106. This document provides that 40% of the Community Fund is to be distributed into the Near Neighbour Fund which exists exclusively to provide grants to recipients in areas outside of Luton which are most affected by airport operations. Therefore, in order to ensure an equitable distribution of the Community Fund, Buckinghamshire Council | BC is willing to engage positively with the Applicant with a view to addressing its concerns within the Examination timeframe. |

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| | | considers that the S106 should secure a commitment to spend at least a 40% commitment of the Community Fund on projects outside of Luton. | |