

London Luton Airport Expansion

Buckinghamshire Council Response to the Applicant's Response to Deadline 6 Submissions 6

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Directorate for Planning, Growth & Sustainability
Planning & Environment
Buckinghamshire Council
King George V House, King George V Road
Amersham, Buckinghamshire, HP6 5AW

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1 Introduction

1.1. Terms of Reference

- 1.1.1. Buckinghamshire Council (the Council) is a neighbouring authority for the London Luton Airport Expansion Development Consent Order (DCO) referred to as 'the Scheme'.
- 1.1.2. This document provides the Council's response to the Applicant's Response to Deadline 6 Submissions (**REP7-063**). The Council has provided comments within an updated version of the table that was appended to the Applicant's document.

2 Buckinghamshire Council Response to the Applicant's Response to Deadline 6 Submissions

I.D	Topic	Deadline 6 submission (Verbatim)	Luton Rising's Response	BC's Response
3. Buckinghamshire Council (Post-Hearing Submissions Including Written Submissions of Oral Cases) [REP6-087]				
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.</p> <p>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 Applicant's Response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087].</p> <p>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: Applicant's Response to Issue Specific Hearing 7 Action 3 -Ivinghoe Junction Modelling Review [REP6-070]. The note explains why the strategic model is considered to be a 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>	<p>BC is now satisfied that sufficient information has been supplied to demonstrate that the modelling outputs on the B489 are reflective of the current traffic volumes and therefore that there is sufficient confidence in the future year predictions.</p>

<p>3.2</p>	<p>Surface Access</p>	<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 Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 -Ivinghoe Junction Modelling Review [REP6-070].</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>	<p>The submission of the Ivinghoe Junction Modelling Review has been welcome. BC has been able to review the data for the B489 and is satisfied that the screenline information remains an accurate representation of the B489 within the Buckinghamshire area.</p>
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<p>3.3</p>	<p>Surface Access</p>	<p>Trip Distribution Plans 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 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 notes that the Trip Distribution Plans [REP5-037] 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 Transport Assessment Appendices – Part 2 of 3, Appendix F Strategic Modelling Forecasting Report [APP-201], 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 Applicant's Response to Issue Specific Hearing 7 Action 2 - Accounting for Covid-19 in Transport Modelling Final Report [AS-159].</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 Transport Assessment Appendices – Part 1 of 3 Appendix E1 Highway LMVR Report [APP-201] and Transport Assessment Appendices – Part 2 of 3, Appendix F Strategic Modelling Forecasting Report [APP-201]. 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 Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070].</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 Applicant's Response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087], and Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070].</p>	<p>BC is now satisfied that it has sufficient information to no longer maintain its position that the situation has not been demonstrated.</p> <p>BC maintains its position that the B489 is not suitable for increases in development traffic, however it agrees that the peak hour traffic does not meet the threshold of severe. Concerns remain however regarding the impacts of the increases in early hours traffic and its impact on downstream issues.</p>
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<p>3.4 Surface Access</p>	<p>Ivinghoe junction 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 throughput 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.</p> <p>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</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 Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]. Further numerical information is also included in relation to the Rule 9 modelling update which is reported in the Applicant's Response to Issue Specific Hearing 7 Action 2 - Accounting for Covid-19 in Transport Modelling Final Report [AS-159].</p> <p>Moreover, the Applicant discussed in the Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070] 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.</p> <p>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>	<p>As above, in addition, BC is aware that movement of traffic to the B488 would lead to traffic travelling through Tring. It is however the Council's position that this is currently the official signed route and properties on the B488 are set back from the carriageway with gardens and hedges. The B489 has properties abutting the carriageway with no buffer to residents being impacted by noise or increased traffic impacts. It therefore remains the Council's position that increases in traffic should be kept by all practical means on the signed route and not through the villages on the B489.</p>
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		<p>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>		
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<p>3.5</p>	<p>Surface Access</p>	<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>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 overtime (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</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 Bus and Coach Market Studies, as described in section 5.1.8 of the Bus and Coach Study[TR020001/APP/8.122] and the attendance of operators at ATFs.</p>	<p>The Council has no further comments to make over and above what has been stated in its previous written submissions. The five-yearly Bus and Coach Study is welcome and should be appropriately secured as part of the DCO.</p>
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	<p>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>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</p>		
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	<p>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>		
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<p>3.6</p>	<p>Surface Access</p>	<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 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</p>	<p>A commitment has been added to the Draft Section 106 Agreement [TR020001/APP/8.167] 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 Sustainable Transport Fund [TR020001/APP/8.119] and Draft Section 106 Agreement [TR020001/APP/8.167] 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 Applicant’s Post Hearing Submission – Issue Specific Hearing 9 (ISH 9) [REP6-067].</p>	<p>BC is now content that the STF has been increased to a value that is able to provide meaningful mitigation. It is also acknowledged that there is now an ability to provide ‘pump primed funding’.</p>
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		tested against anticipated costs of potential interventions to demonstrate that it is able to achieve any of its objectives in a given year.		
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<p>3.7</p>	<p>Surface Access</p>	<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</p>	<p>Please see the revised OTRIMMA [TR02001/APP/8.97] submitted at Deadline 7 regarding burden of responsibility and costs.</p> <p>The size of the fund is established in the Draft Section 106 Agreement [TR020001/APP/8.167]. 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>	<p>BC welcomes the changes to the OTRIMMA, and particularly the ability for local authority costs to be reasonably reimbursed. Concerns remain regarding the absolute value of the Residual Impact Fund. This Fund should be subject to being indexed link which should be secured through the S106 Agreement.</p>
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	<p>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>		
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<p>3.8</p>	<p>Health and Community Traffic and Transport</p>	<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</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 Chapter 13 of the ES [AS-078]. A full list of the health effects assessed, including non- significant effects, is provided in Table 13.20. 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, page 102. 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>BC is now satisfied that the traffic modelling is robust for application within Buckinghamshire.</p> <p>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. BC has used the SoCG and ISH process to emphasise its position that this matter should be duly assessed, written up and mitigation routes clarified. This discussion is continuing through the SoCG process and there is no consensus between the parties at this point.</p>
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	<p>airport; n. changes to the character and quality of neighbourhood, due to combined environmental impacts (noise, airquality, 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>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 Chapter 11 of the ES [APP-037] which includes indirect (supply chain) and induced (employee expenditure) effects.</p>	
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<p>3.9</p>	<p>Health and Community</p>	<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</p>	<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>	<p>See above response.</p>
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	<p>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>		
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<p>3.1 0</p>	<p>Health and Community</p>	<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 Table 13.6 in Chapter 13 of the ES [TR02001/APP/5.01] has been amended to delete the reference to 'noise and visual impacts of the airport', 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>	<p>BC understands the underlying rationale for the approach adopted by the Applicant but is not in agreement with the conclusions.</p>
<p>3.1 1</p>	<p>Health and Community</p>	<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</p>	<p>As provided in the response at ID 3.10 above, the Applicant considers that the health assessment in Chapter 13 of the ES [AS-078] 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>	<p>See above response.</p> <p>The Council notes that the ExA in its comments on the dDCO considers that the ETS could be secured by Requirement.</p>

		<p>presents an enhancement rather than a necessary intervention. This needs to be clarified and the inconsistent presentation should be removed. In BC's view the ETS is a necessary intervention.</p>		
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 Chapter 13 of the ES [AS-078] are required.</p>	<p>BC understands the underlying rationale for the approach adopted by the Applicant. However, it remains in disagreement about the likelihood of significant adverse health effects arising for the residents of the villages along the B489 route to the airport. The discussion of this matter is ongoing through the SoCG process.</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>	<p>No response required.</p>

3.1 4	Health and Communi ty	<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>	<p>This matter has been discussed further with the relevant health specialists for BC and the Applicant (meeting 17.01.24). Discussions are ongoing – the matter is not resolved.</p>
3.1 5	Health and Communi ty	<p>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</p>	<p>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.</p>	<p>BC makes no further comments on this matter.</p>

		<p>weakness and that unforeseen and unintended consequences are actually very likely (and arguably, therefore, foreseeable and in some locations, mitigatable. Foreexample, 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).</p>		
3.1 6	Greenhouse gases and Climate Change	<p>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]).</p>	<p>The Applicant stands by the response in the Applicant’s Response to Deadline 5 Submissions Appendix B – Buckinghamshire Council [REP6-055], and reiterates the acceptance that the analysis does not constitute a quantitative sensitivity analysis, rather a proxy for it. Please refer to REP6-055.</p>	<p>BC makes no further comments on this matter.</p>
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 & 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</p>	<p>As set out in Appendix B to the Need Case [APP-214], 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>	<p>BC makes no further comments on this matter.</p>

		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.		
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 Greenhouse Gas Action Plan [APP-081] 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.	No response required.
3.1 9	Green Controlled Growth	Basis for the limits and thresholds 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,	The Applicant has responded to this point in Appendix A of the Applicant's Post Hearing Submission – Issue Specific Hearing 9 [REP6-067] .	BC makes no further comments on this matter.

		<p>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>		
3.20	Green Controlled Growth	<p>Ability of the Framework to incorporate updated policy and legislation 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 Applicant's response to Deadline 4 Hearing Actions Issue Specific Hearing 5 Action 18 [REP4-070] 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 Applicant's response to Deadline 4 Hearing Actions Issue Specific Hearing 5 Action 18 [REP4-070] 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>	No response required.

<p>3.2 1</p>	<p>Surface Access</p>	<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 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>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 Applicant's Post Hearing Submission – Issue Specific Hearing 9 (ISH 9) [REP6-067].</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 achieve the ambitious targets to be set out in future Travel Plans. The updated Sustainable Transport Fund [TR02001/APP/8.119] and Draft Section 106 Agreement [TR020001/APP/8.167] 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 Draft Section 106 Agreement [TR020001/APP/8.167].</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>	<p>No response required.</p>
<p>3.2 2</p>	<p>Green Controlled Growth and Surface Access</p>	<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</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>No response required.</p>

		greater effectiveness of a FTP intervention and a suitable feedback loop in the opposite direction.		
4. Buckinghamshire Council (Comments on Deadline 5 submissions) [REP6-086]				
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 Applicant's Response to Deadline 4 Submissions [REP5-046].</p>	No response required.
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 75% of the year, annualisation techniques can be used to estimate an annual average from a part year average. For annualisation to</p>	<p>The Applicant has set out within the Applicant's Post Hearing Submission – Issue Specific Hearing 9 Actions 6 & 7 [REP6-067] 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> <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 1st of January following notice under Article 44(1) being served) is considered appropriate and reflects the very limited growth which could</p>	BC makes no further comments on this matter.

		<p>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>	<p>occur in the remainder of the year following notice being served.</p> <p>As stated in the GCG Explanatory Note [TR020001/APP/7.07], 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	<p>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.</p>	<p>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 reset 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 GCG Explanatory Note [TR020001/APP/7.07]), and the newly committed five-yearly updates to the Air Noise Management Plan [TR020001/APP/8.125], is considered to be an appropriate and robust review cycle.</p>	No response required.
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</p>	<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.</p>	No response required.

		membership.		
4.5	Green Controlled Growth	<p>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 included being delivered, similarly the TRIMMA [REP5-041] requires local authorities to monitor for mitigation type 2.</p>	<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 Applicant's Post Hearing Submission – Issue Specific Hearing 9 [REP6-067].</p> <p>The Applicant's response to Written Questions – Traffic and transport at ID TT.2.9 [TR020001/APP8.161] 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 Draft DCO [TR020001/APP/2.01]. This requirement therefore provides the necessary 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 Outline TRIMMA 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>	BC makes no further comments on this matter.
4.6	Green Controlled Growth	<p>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</p>	<p>This amendment was made at Deadline 5 to the Draft ESG - Terms of Reference [REP5-024] 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.</p>	No response required.

		<p>Council takes the view that it is important that the Greenhouse Gases LimitReview should reviewed by, and comment provided, by technical experts inthe field to ensure that detail is robust and technically sound. The Council would suggest that the inclusion of the Greenhouse Gases Technical Panelbe mandatory within the review procedure.</p>		
4.7	Green Controlled Growth	<p>REP5-032; REP5-033: 7.08 Green Controlled Growth Framework AppendixF – 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 returnjourney. In order to properly assess mode share, data should be sought for those passengers arriving at the airport and then making onward journeys totheir 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>The Council recognises that amending the CAA survey may be outof 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>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</p>	<p>As described in the CAA's sampling methodology for the Departing Passenger Survey (as set outon 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; forexample, 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>	No response required.

		<p>focus on departing flights would only represent 50% of the surface access trips.</p>		
<p>4.8</p>	<p>Health and Community</p>	<p>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> <p>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</p>	<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 Chapter 13 of the ES [AS-078], 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> <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 'Sensitivity is likely to be generally higher in the local neighbourhood/Luton area' (paragraph 13.9.7. This wording does not preclude effects outside this area.</p> <p>Likewise, mitigation proposed in the Code of Construction Practice [REP6-003] (including the Community Engagement Strategy) will cover all communities affected by the Proposed Development.</p>	<p>No response required.</p>

	<p>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>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>		
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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 24-hour 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 Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070].</p>	No response required.
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>	Please refer to the response provided at ID 4.9 above.	No response required.
4.11	Surface Access	<p>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.</p>	Please refer to the response provided at ID 3.3 of this document.	BC makes no further comments on this matter.

<p>4.1 2</p>	<p>Surface Access</p>	<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</p>	<p>The revised OTRIMMA (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 OTRIMMA [REP5-041]. These thresholds will be at a level so as to deliver proactive mitigation. 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 OTRIMMA [REP5-041].</p>	<p>No response required.</p>
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		<p>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>		
4.1 3	Surface Access	<p>It is not clear how the TRIMMA is connected to Green Controlled Growth and its monitoring of surface access.</p>	<p>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 Surface Access Controls – Relationship Map [EV16-002].</p>	<p>No response required.</p>
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>	<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 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) [REP6-067].</p>	<p>BC makes no further comments on this matter.</p>

<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</p>	<p>The increase in the forecast cumulative value of the Sustainable Transport Fund, to that proposed previously, is set out in the Sustainable Transport Fund [TR020001/APP/8.119]. This includes an increased annual fund size to that proposed previously.</p> <p>The Draft Section 106 Agreement [TR020001/APP/8.167] sets out the approach to index linking the fund.</p> <p>A commitment has been added to the Draft Section 106 Agreement [TR020001/APP/8.167] 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>	
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		'pump primed' as suggested during ISH4.		
4.1 5	Surface Access	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.	The STF will not be used to fund any of the specified works identified within Schedule 1 of the Draft Development Consent Order [TR020001/APP/2.01] . 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 Surface Access Strategy [APP-228] vision, objectives and priority areas.	No response required.
4.1 6	Surface Access	REP5-058: 8.122 Bus and Coach Study 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.	The Bus & Coach Study [REP5-058] 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.	No response required.

<p>4.1 7</p>	<p>Surface Access</p>	<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 30 minutes 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</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 Sustainable Transport Fund [TR020001/8.119] and Draft Section 106 Agreement [TR020001/APP/8.167] for more information on the Sustainable Transport Fund. The Bus & Coach Study [REP5-058] 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>	<p>No response required.</p>
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	<p>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>		
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