

# London Luton Airport Expansion

## Buckinghamshire Council Response to the Applicant's Response to Deadline 7 Submissions (REP8-038)

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**PINS REFERENCE:** TR020001

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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 7 Submissions (**REP8-038**). 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 7 Submissions

Table 1- Need Cases Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.6 NEED CASE</b>				
4	<b>[REP7-080]</b> Para. 2.45.3 Page. 14	The Applicant's response, provided in section 9.1, does not change the Council's position that the Applicant should be able to demonstrate the impacts of the slower developments in SAF and next generation fuels. Where the Applicant has undertaken a Monte Carlo analysis of various sensitivities, beyond what has been relied on from the Jet Zero Strategy, the Council would welcome an overview of the impacts on growth and carbon prices for review and comment.	The Applicant has sought to engage with Buckinghamshire Council on this topic in connection with the Statement of Common Ground. The demand forecasts fully take into account a range of assumptions, from low to high, on future carbon prices and their impact on future demand. The Applicant does not consider that further sensitivity testing is required as the risk of higher carbon prices is already reflected in the slower growth case.	The Council position has not changed, and it has no further comments to make on this matter than those that have already been raised in its previous submission documents, including its latest PADSS.
5	<b>[REP7-080]</b> Appendix B, ID 3 Page. 6	The Council notes the clarification provided on actual employment growth compared to forecast growth. Further detail relating to the impact of earlier employment and training schemes in more deprived areas would be beneficial, although the Council recognises this was not a specific ask on the Applicant in ISH2.	The Employment and Training Strategy [TR020001/APP/7.05] outlines that any monitoring and evaluation of outcomes and initiatives outlined within the ETS will be agreed and scoped out once a decision on the DCO has been reached. The Applicant, together with the airport operator, will regularly monitor and review progress against its own objectives to ensure their efficiency and impact	The Council notes the Applicant's response and has no further comments to make.

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The Council would accept that adopting the 2019 actuals provides a more accurate representation than the consented baseline. As highlighted in Buckinghamshire Council Comments on Further Deadline 4 Submissions (TR020001) adopting 19mppa has an impact on the economic case for expansion. Most notably, this includes a reduction in the number of jobs expected to be created. The Council wishes to see a quantitative assessment of this change, rather than a qualitative sensitivity analysis, which is the approach that the Applicant has taken to date.

The alternative employment data for the Three Counties assuming a 19 mppa baseline is shown in the table below, which is an amended version of Table 8.3 of the Need Case [AS-125].

		2019		2027			2039			2043				
		Baseline	Without Development	Core Case	Growth vs. 2019	Core Case minus Without Development	Without Development	Core Case	Growth vs. 2019	Core Case minus Without Development	Without Development	Core Case	Growth vs. 2019	Core Case minus Without Development
Employment	Direct	10,900	10,900	11,700	+700	+800	9,900	13,200	+2,300	+3,300	9,700	15,100	+4,200	+5,400
	Indirect	2,100	2,000	2,200	+100	+100	1,900	2,400	+300	+500	1,900	2,700	+700	+900
	Induced	3,500	3,400	3,700	+200	+300	3,300	4,100	+600	+900	3,300	4,800	+1,300	+1,500
	Total	16,500	16,300	17,500	+1,000	+1,200	15,100	19,700	+3,200	+4,600	14,800	22,600	+6,100	+7,800

The Council notes the Applicant's response and has no further comments to make.

Table 2- Employment and Training Strategy Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.9 EMPLOYMENT &amp; TRAINING STRATEGY</b>				
1	<b>[REP7-081]</b> Page 7	Q21 of ISH10- Discussion with Buckinghamshire regarding Employment and Training Strategy [APP-215] component of s106. No such discussions have taken place.	A call between Buckinghamshire Council and the Applicant took place on 15 January 2024 to discuss the s106 agreement	At the meeting with the Applicant on 15 January 2024 the Council reiterated comments it has made previously regarding the wording within the Mitigation Route Map (AS-047) which is contradictory to the stance the Applicant is taking in the s106. The Applicant has advised that they will look to update the Mitigation Route Map to reflect the current position, however, an updated document is yet to be submitted.
2	<b>[REP7-081]</b> Page 10	S106-HoT Buckinghamshire membership on the Local Economic Development Working Group implementation and monitoring. Significant economic, employment and training opportunities will be generated by the DCO. Buckinghamshire required involvement in the ETS which will take place via the Local Economic Development Working Group. The ETS will secure actions that will be targeted at Bucks' residents and businesses.	Buckinghamshire Council's interest to be involved with the Employment Training Strategy is noted. As noted in the responses to points raised in the Employment Training Strategy by Buckinghamshire Council through the Statement of Common Ground [REP6-037], the Applicant has reiterated Buckinghamshire Council's involvement in the ETS including involvement in any initiatives delivered through the Strategy.	This is welcomed by the Council, however the Council's comments regarding the contradictory language in the Mitigation Route Map still stands until such time that the document is updated.

3	<b>[REP7-081]</b> Page 10	<p>s106- Alternatives In Buckinghamshire Council's view the following would need to be secured via a DCO Requirement:</p> <ul style="list-style-type: none"><li>•Employment and Training Strategy.</li></ul> <p>The authorised development must be carried out in accordance with the Employment and Training Strategy</p>	<p>As noted, it is intended that the Employment Training Strategy will be secured through the s106 agreement. As the entirety of the ETS is being secured through the s106 agreement, the ETS does not need to be secured via a DCO Requirement. If agreement is not reached, then the ETS will be secured by either a Unilateral Undertaking or through the addition of a requirement.</p> <p>Further discussions, as outlined in ID 1 above, have taken place regarding a separate agreement with Buckinghamshire Council will be made to ensure their involvement.</p>	<p>The Council welcomes the Applicant's willingness to engage in a separate agreement to ensure the Council's involvement in the initiatives outlined in the ETS.</p> <p>The Council would also support the Examining Authority's inclusion of a Requirement to secure the ETS should agreement not be reached on the s106 agreement particularly noting that the Council is not a party to that legal agreement.</p>
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Table 3- Green Controlled Growth Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.11 GREEN CONTROLLED GROWTH</b>				
1	<b>[REP7-081]</b> Page 12	<p>GCG.2.2 Increase of thresholds, limits and contours.</p> <p>Wording should be included to cover a scenario where the number of people overflown increases due to a change in the shape of the contours due to circumstances not assessed in the Environmental Statement (ES).</p>	<p>As set out in paragraph 2.3.4 of the Green Controlled Growth Framework [REP7-020], there will be no ability to change any of the Level 1, Level 2 Thresholds or Limits to permit materially worse environmental effects than those identified in the Environmental Statement (ES). As such, were the number of people overflown to change due to circumstances not assessed in the ES to the extent that this creates a materially worse environmental effect, this would not be permitted. As such, it is not considered that any changes to the wording of the GCG Framework on this point are required. It is notable that the Host Local Authorities also do not consider that any change to the wording is required (see [REP7-084], [REP7-087] and [REP7-090]).</p>	<p>Buckinghamshire Council is reassured that the Applicant considers that Green Controlled Growth is robust enough to cater for this scenario but does not understand why the position of the Host Local Authorites should be used to justify its position.</p>



Table 4- Health and Community Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.12 HEALTH &amp; COMMUNITY</b>				
1	<b>REP7-080]</b> 2.45.2	Within ISH8, the Council made a substantial number of points in relation to health. On this basis, point 4.2.4 is inaccurate- the Council indicated that it had a series of matters to raise but intended to do this as part of agenda item reported by the Applicant at 4.4. Further, it is noted that these are not referenced by the Applicant within the main body text of the Applicant's ISH8 post-submission hearing. Action point 13 has been noted by the ExA and the Council will review the Applicant's response to this after Deadline 7.	The statement that 'Buckinghamshire Council (BC) had no comment', made in the Applicant's Post Hearing Submission- Issue Specific Hearing 8 (ISH8) [REP6-066], refers specifically to comments in relation to Item 4.2: 'Whether local datasets and health strategies should be used to inform the health and community assessment'. Buckinghamshire Council did not raise any specific points in relation to this item at the hearing; likewise, Buckinghamshire Council's post-hearing submission [REP6-087] did not raise any points in relation to this item.	The Council notes the Applicant's response and has no further comments to make.
2	<b>[REP7-080]</b> 2.24.2	The Council also notes that the Applicant has not provided any responses to the health matters raised in the Council's Deadline 5 submission- the Council would like this omission to be addressed by the Applicant.	<p>The Applicant's responses to the health points raised in Buckinghamshire Council's Deadline 5 submission [REP5-064] are as follows:</p> <p>'2.42.7 This submission [Assessment of night-time construction noise <b>[REP4-080]</b>] has been reviewed from the perspective of health effects. The geographical scope of the assessment provided by the Applicant focuses on construction activities at and close to the airport and thus excludes the consideration of impacts from night-time working associated with Off-Site highway activities, which may become relevant to the Council depending on the outcome of ongoing SoCG discussions.'</p> <p>Applicant's response: <b>The Assessment of night-time construction noise [REP4-080]</b> includes the consideration of the effects of off-site night-time roadworks at M1 Junction 10. No significant effects have been identified.</p> <p>'2.42.2 The Council accepts that the conclusions of 'no significant effects' within the Applicant's submissions follow the recognised noise assessment methodology. However, the Council considers that this approach fails to reflect the potential significance of nighttime noise disturbance impacts, leading to sleep disturbance or deprivation that can manifest as adverse mental health and well-being effects that may be significant even over a short duration. There is a need for this to be reflected in the ES and suitable mitigation measures to be clarified and appropriately secured.'</p> <p>Applicant's response: A response to this point was provided in the Deadline 6 Submission <b>Applicant's Response to Deadline 5 Submissions Appendix</b></p>	The Council notes the Applicant's response to 2.42.7, which clarifies the extent of the off-site night-time roadworks reported. The Applicant's response to 2.42.2 is also noted. The Council maintains that, should the Applicant include night-time working as part of other Off-Site highway works (for example, as a result of proposals coming forward through TRIMMA), there should be mechanisms secured to ensure suitable assessment and management of any adverse health effects arising (e.g. sleep disturbance). This matter has since been the subject of further discussions between the Applicant and the Council as part of the SoCG process, including at a meeting on 17.01.24 - the resolution is ongoing.

			<b>B - Buckinghamshire Council [REP6-055], at ID5.</b>	
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3	<b>[REP7-080]</b> 2.38.2	HAC.1.5- matters relating to the health assessment methodology were discussed in greater detail through ISH8. The Council notes that the response provided by the Applicant at the ISH differed to that included in this document (Written Question Responses - Applicant's Response to Buckinghamshire Council's Comments [REP6-059]). The Council will progress on the basis that materials that are being prepared for Deadline 7 (i.e. post-dating ISH8) will reflect the latest updated perspective for all parties. The Council expects that this will be a continued topic for discussion	The Council's question HAC 1.5 concerns the community assessment. The Applicant's responses to question HCA 1.5 in <b>Written Question Responses Applicant's Response to Buckinghamshire Council's Comments [REP6-059]</b> relate to the community assessment only.  Although the health and community assessments are contained within the same chapter, the assessments are separate and are based on different methodologies.	The Council notes the Applicant's response and has no further comments to make.
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4	<b>[REP7-080]</b> 2.38.2	HAC1.14 and HAC.1.15 (Written Question Responses Applicant's Response to Buckinghamshire Council's Comments [REP6-059])- elements of these responses have been superseded by discussions at ISH 8 and the comments made in relation to HAC1.5 are relevant in this regard. The Council notes that the Applicant's focus is on aircraft noise. However, the Council is keen to ensure that the Applicant does not overlook the potential for traffic derived noise to result in potentially significant adverse effects on health and well-being in the wider study area, below thresholds for the noise topic assessment methodology - this is a continued topic for discussion.	<p>The Applicant has not overlooked the potential for traffic derived noise to result in potentially significant adverse effects on health and wellbeing. Based on the findings of the strategic traffic model, no likely traffic-related impacts on health determinants (such as noise) were identified in the Buckinghamshire area and therefore no assessment of health effects was required.</p> <p>The noise assessment reported in Chapter 16 of the ES [REP1-003] includes an assessment of surface access noise. As noted in response to Written Question NO.2.12 [REP7-056], Buckinghamshire is outside the surface access noise study area as the Strategic Modelling Forecasting Report [APP-201] shows the level of traffic impact within Buckinghamshire is forecast to be relatively low.</p>	Buckinghamshire Council is satisfied with the Applicant's response in terms of clarifying the methodology that has been used in the ES. Notwithstanding this, the Council and the Applicant hold differing views regarding the potential for significant adverse health effects to be experienced by some residents along the B488/B489 route within Buckinghamshire. Discussions regarding this matter are ongoing between the Applicant and the Council through the SoCG process.
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Table 5- Noise Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.14 NOISE &amp; VIBRATION (INCLUDING NOISE INSULATION)</b>				
22	<b>[REP7-081]</b> NO.2.3	The applicant should reference the "Department for Transport Guidelines on Flights Which May Be Given Dispensation from the Night Restrictions" issued by Department for Transport in July 2014	As noted in response to Written Question NO.2.3 [REP7-056], the Applicant has updated the Air Noise Management Plan [REP7-044] to reference and align the list of dispensations with the DfT guidance (Ref 5) referenced by Buckinghamshire Council.	Buckinghamshire Council is satisfied with the Applicant's response.
23	<b>[REP7-081]</b> NO.2.6	<p>The Overarching Aviation Noise Policy sets out the Government's overarching noise policy statement as reproduced below.</p> <p>"The government's overall policy on aviation noise is to balance the economic and consumer benefits of aviation against their social and health implications in line with the International Civil Aviation Organisation's Balanced Approach to Aircraft Noise Management. This should take into account the local and national context of both passenger and freight operations, and recognise the additional health impacts of night flights."</p> <p>On this basis the Council would resist any additional ATMS during the night shoulder periods.</p>	The Applicant has set out how the Proposed Development complies with the Overarching Aviation Noise Policy in Commentary on the Overarching Aviation Noise Policy Statement [REP1-012], Complying with this policy does not require that there should be no additional aircraft movements during the night, shoulder period or otherwise.	<p>Buckinghamshire Council notes the Applicant's position but would still resist any additional ATMS during night shoulder periods.</p> <p>As set out in its <i>Night-time noise abatement objectives for the designated airports from October 2025</i> (DfT, 2023), consultation published on 27 March 2023, the government recognises that:</p> <p>"noise from aircraft taking off and landing at night is often regarded by communities as the most disturbing form of airport operations. In addition, there is growing evidence of the relationship between aviation night noise and impacts on health and sleep disturbance."</p>

24	<b>[REP7-081]</b> NO.2.9	See answer to 6 above.  Also, it is suggested that the restrictions at [REP6-051] Para 2.3 "Maximum quota count for night-time (23:00- 07:00) aircraft movements be amended so that aircraft" be amended so that no cargo, business and private flights with a quota count of 1 or more are permitted to take off or land. To align it with the Night Quota Period (23:30- 06:00) movement cap.	As noted in response to Written Question NO.2.9 <b>[REP7-056]</b> the noise controls in the <b>Air Noise Management Plan [REP7-044] and Green Controlled Growth Framework [REP7-020]</b> controls noise from all aircraft and therefore apply equally to cargo, business and private flights. The Applicant does not consider it necessary to specify any additional controls specifically for these types of aircraft, though notes that this does not preclude the airport operator from introducing additional restrictions for these types of flights in order to stay within the limits imposed by the DCO noise controls	Buckinghamshire Council notes the Applicants position but points out that this suggestion was to protect communities from noisy aircraft (anecdotally) used by freight operators in the shoulder hours.
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25	<b>[REP7-081]</b> NO.2.12	<p>The early morning traffic increases on the B489 between the hours of 03:00 and 07:00 are predicted to be 57 two-way movements. At present the Council's ATC survey data shows that in this time period there are 156 two way movements on this corridor. The growth set out in the Applicant's latest data would represent a 37% increase in these early hours for this corridor.</p> <p>It is understood that the low numbers are unlikely to equate to a significant effect in relation to the thresholds of the noise assessment work. However, the Council's concern is related to the health implications of the changes to the noise environment, particularly in terms of the potential for sleep disturbance. The Council would welcome specific qualitative analysis of this matter to be included within the relevant parts of the ES. Furthermore, the Council is of the opinion that the percentage change is sufficient to merit intervention in the village locations along this route, to seek to mitigate adverse effects arising from the traffic impacts.</p>	<p>As noted in the Applicant's response to Written Question NO.2.12 <b>[REP7-056]</b> the B489 is outside of the study area for noise impacts as no significant effects on health and quality of life with respect to road traffic noise are expected from this road. This includes the consideration of night-time noise; peak hours impacts and sleep disturbance. This focus on the wider daytime and night-time periods, rather than just a peak period, also aligns with studies into the health impacts of exposure to road traffic noise as reported by the World Health Organisation (WHO, Ref 8).</p>	<p>Buckinghamshire Council is satisfied with the Applicant's response.</p>
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Table 6- Section 106 Agreement Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.15 SECTION 106 AGREEMENT</b>				
<b>Section 106- heads of terms</b>				
1	<b>[REP7-080]</b> para. 2.21.2 page. 9 and para. 2.53.1 page.16- 17	Buckinghamshire Council has significant concerns regarding the progression of the s106 agreement and the delay in the sharing of this document which the Council received on 04 January 2024. As a relevant neighbouring authority, Buckinghamshire Council has not been party to discussions on the s106 agreement and therefore has been unable to engage in meaningful discussions in order to ascertain the certainty with which proposed mitigation has been adequately secured. This also raises doubts over how the Council may secure mitigation benefiting its residents through alternative means- this cannot be achieved without the Applicant undertaking adequate consultation with the Council on its contents.	As noted in response to Written Question NO.2.3 [REP7-056], the Applicant has updated the Air Noise Management Plan [REP7-044] to reference and align the list of dispensations with the DfT guidance (Ref 5) referenced by Buckinghamshire Council.	The Council's concerns relate to the wider progression of the s106, however, subsequent engagement has superseded this position. The Council notes the Applicant's response but would continue to highlight the need for a side agreement with the Applicant as the Council is not a co-signatory of the s106.



<p>2</p>	<p><b>[REP7-081]</b>                  page. 8-10</p> <p>Response to WQ                  BCG.2.11</p>	<p>In Buckinghamshire Council's view the following need to be secured:</p> <p>(i) New express bus route from Aylesbury to Luton. Expansion of airport would mean increased passenger air travel. Customers will need to have real choice of sustainable transport to contribute to sustainable development and minimise use of private car. Required to ensure traffic impacts of development within Bucks are mitigated by promoting sustainable transport.</p> <p>(ii) Reinstatement of Bus Route 61 from Aylesbury to Luton. Expansion of airport would mean increased passenger air travel. Customers will need to have real choice of sustainable transport to contribute to sustainable development and minimise use of private car. Required to ensure traffic impacts of development within Bucks are mitigated by promoting sustainable transport. This would address the existing lack of long distance fast bus services connecting east and west, or locations within Buckinghamshire with Luton Airport or the M1 corridor and the East Coast mainline, without a requirement to use London interchanges.</p> <p>(iii) Priority junction improvements at the B489 and B488 Ivinghoe. Long distance commuting route uses the Buckinghamshire network via the B489. The intensification in use of this is shown within the DCO Trip Distribution Plans. Small increases in traffic</p>	<p>(i)-(ii)- The Applicant notes the request for the bus routes to be secured. However, it is the Applicants position that these measures should be brought to the ATF Steering Group for consideration post DCO consent. If approved by the ATF Steering Group these measures would be funded by the <b>Sustainable Transport Fund [REP7-043]</b>. The Applicant has committed to undertake a 5-yearly bus and coach market analysis study and does not want to pre-empt the outcome of this study at this stage.</p> <p>(iii)- As set out in the <b>Applicant's Response to Issue Specific Hearing 7Action 3 - Ivinghoe Junction Modelling Review [REP7-070]</b> the proposed development results in a small numerical and percentage increase in total traffic which cannot be considered as 'severe' and would not warrant the need for a capacity improvement at the B489/B488 junction.</p> <p>(iv) The GCG Framework will ensure that the airport cannot grow in an unsustainable way. Noted measures can be proposed and considered for funding by the Sustainable Transport Fund by the ATF Steering Group.</p> <p>(v) The Applicant notes the request from Buckinghamshire Council to extend the Community First Zone to the wards of Aylesbury North, Aylesbury North West, Aylesbury South-West and Chesham. The Applicant highlights that the Community First zone has already been extended during the examination this change was made at Deadline 4 in response to comments made by Buckinghamshire Council at CAH1. As stated at paragraph 9.1.2 of the <b>Draft Compensation Measures, Policies and Community First [REP7-036]</b>, the Community First Zone includes the eastern parts of Buckinghamshire. This is shown in Figure 9.1 and includes Aylesbury and Chesham.</p>	<p>The Council note the Applicant's response and have no further comments to make. Some of these matters have been superseded following further engagement with any outstanding matters reflected in the Council's final PADSS.</p>
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	<p>flow would have unacceptable impacts to this junction.</p> <p>(iv) An agreed Sustainable Transport Fund. A fund to support sustainable transport to serve the Scheme. Expansion of airport would mean increased passenger air travel. Customers will need to have real choice of sustainable transport to contribute to sustainable development and minimise use of private car. This should be extended to sustainable transport measures within Buckinghamshire County.</p> <p>(v) Community First fund to include areas of Buckinghamshire: wards of Aylesbury North, Aylesbury North West, Aylesbury South-West and Chesham.</p>		
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Table 7- Surface Access Responses

I.D	Reference	Matter Raised Requiring a Response (Verbatim)	Luton Rising's Response	BC's Response
<b>2.17 SURFACE ACCESS</b>				
1	<b>[REP7-080]</b> Paragraph 2.6	REP6-009; REP6-01; 5.02 Appendix 18.3 Outline Construction Traffic Management Plan (clean and Tracked change version): This submission has been reviewed. The Council welcomes the introduction of the Pre-Construction condition surveys for traffic management plans and considers the included matters to be appropriate for the purposes of the Construction Traffic Management Plan (CTMP). It is noted that the collection of this information is only useful if it is to be applied in some manner through the life of the construction phase. It should therefore be accompanied by a matching survey at the end of the construction period, with measures included to address any areas of damage or deterioration that can be identified through the surveys as being caused by the construction activities. Thresholds for remedial action should be established and agreed prior to the agreement of the full CTMPs.	Dilapidation surveys will be carried out at the start and end of each phase. This way it can be easily identified whether deterioration to the local road network is caused due to the construction phases or whether it is due to the general wear and tear, as expected. The OCTMP will be updated accordingly before final submission to reflect this.	BC welcomes the proposal for surveys to be included at the start and end of each phase. If deterioration is found to be as a result of construction activities it must be ensured that remedial action is to be undertaken to put the condition of the highway back to its proper state.

2	<b>[REP7-080]</b> Paragraph 2.21	<p>REP6-037; REP6-038; 8.18 Statement of Common Ground between London Luton Airport Limited and Buckinghamshire Council (clean and Tracked change version): This submission has been reviewed. They reflect the up-to-date position as at Deadline 6, detailing matters of concern to the Council that have been raised through the SoCG process. The Council's position remains broadly as set out in this document as well as its Deadline 6 submissions, however, some progress has been made with the Applicant subsequently.</p> <p>Notwithstanding the above, the Council has significant concerns regarding the progression of the s106 agreement and the delay in the sharing of this document which the Council, received on 04 January 2024. As a relevant neighbouring authority, Buckinghamshire Council has not been party to discussions on the s106 agreement and therefore has been unable to engage in meaningful discussions in order to ascertain the certainty with which proposed mitigation has been adequately secured. This also raises doubts over how the Council may secure mitigation benefiting its residents through alternative means- this cannot be achieved without the Applicant undertaking adequate consultation with the Council on its contents.</p>	<p>The Applicant has sought to share working drafts of the section 106 agreement and has now sent through 3 versions of the draft, the most recent version being sent on 19 January 2024. Although Buckinghamshire Council are not a signatory to the agreement, we would be happy to consider any comments they have if they wish send any to us.</p>	<p>The Council's concerns relate to the wider progression of the s106; however, subsequent engagement has superseded this position. The Council notes the Applicant's response but would continue to highlight the need for a side agreement with the Applicant as the Council is not a co-signatory of the s106.</p>
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<p>3</p>	<p><b>[REP7-080]</b>                  Paragraph                  2.44</p>	<p>REP6-065: 8.134 Applicant's Post Hearing Submission - Issue Specific Hearing 7 (ISH7):                  This submission has been reviewed. The Council is now satisfied that the modelling validation on the B489 is suitable for assessment. Recent submissions by the Applicant have provided data on the projected traffic on the B489 and these show that in the early hours of the morning there is a significant increase in airport related trips. Currently there are 123 (two way) airport related trips between 03:00 and 07:00 and this is proposed to rise to 179 (two way) airport related trips against a current total of two way movements during this period of 245.</p> <p>The Council awaits the submissions from the Applicant that are set out in action point 3 from ISH7.</p> <p>The Council continues to seek confirmation that the STF will be able to provide sufficient funds to implement measures in the early stages of the development, through the collection of a levy on the car parking charges. The Council awaits further information to be provided by the Applicant on this matter in response to action point 10.</p> <p>The Council is concerned that the provision of walking and cycling infrastructure relies on the delivery of the LBC LCWIP schemes. The Council considers the proper approach to be assuming responsibility for the delivery of any elements of the schemes required to provide access to the airport</p>	<p>The Applicant disputes that walking and cycling improvements are reliant on the LBC LCWIP document. Improvements are proposed in the vicinity of the airport along the proposed route of Airport Access Road (AAR), which connect into existing routes along Eaton Green Road and provide connectivity to existing residential areas. Other localised improvements are proposed at several off-site junctions where signalised pedestrian crossing facilities are incorporated within the junctions, many of which coincide with the proposed cycle routes forming the LBC LCWIP.</p> <p>In addition, improvements are proposed to several Public Rights of Way (PRoWs) within the Wigmore Valley Park area, which seek to improve connectivity to rural areas in the east.</p> <p>Regarding the Council's comment on the STF, the Applicant refers the Council to the <b>Sustainable Transport Fund [REP7-042]</b>. This document provides confirmation that the STF will be able to provide funds to implement measures in the early stages of the development.</p> <p>Regarding the Council's comment on the OTRIMMA, the Applicant refers the Council to the updated version of the <b>OTRIMMA</b> submitted at Deadline 7 <b>[REP7-039]</b>. This document responds positively to the Council's comment regarding funding of monitoring/mitigation.</p>	<p>BC remains unconvinced that a full walking and cycling review has been undertaken, from its own testing of routes from the Buckinghamshire boundary it found that the route from Luton town centre to the airport failed to adequately lead a cyclist to arrive at the airport. It is recognised that the likely demand for cycling from Buckinghamshire is low, and that other authorities will have other routes of primary concern.</p> <p>The Council is now satisfied that the increased value of the STF can be considered acceptable and that the forward funding mechanism facilitates forward funding of elements that require implementation during the early stages of the scheme.</p> <p>The Council welcomes the ability of the OTRIMMA to allow LHA's to recoup costs associated with accessing funding from the OTRIMMA Residual Impacts Fund.</p>
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		based on the development program for the airport.		
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<p>4</p>	<p><b>[REP7-080]</b> Paragraph 2.46</p>	<p>REP6-067: 8.136 Applicant's Post Hearing Submission - Issue Specific Hearing 9 (ISH9):                  The Council is willing to accept the Applicant's position that the Council does not have a seat on the ESG with respect to surface access arrangements, only subject to the Council being satisfied that the TRIMMA is able to be considered acceptable and fit for purpose. At present the Council remains concerned that the TRIMMA is unclear in its drafting and therefore may not achieve its objectives- the Applicant needs to provide further information to demonstrate its viability and effectiveness.                  The Council shares the ExA's concerns regarding the achievement of mode share targets and the use of the Sustainable Transport Fund or TRIMMA to do so. At present it is still not known what the values of these funds are to be and if there would be sufficient within the funds to deliver the required public transport provisions.                  The new Surface Access flow diagram (EV16-002) shows no link between GCG and the FTP or TRIMMA once the development commences. The Council considers this to be a weakness of the proposals, and that the FTP is weakened as a result. GCG is shown to operate independently of these documents, and it has been stated that if GCG targets are not met then measures will be implemented from the airport's day to day running costs. The Council considers that these should be linked documents and suggests that at least at the point of the 5 yearly Travel Plan updates, GCG targets should be considered to ensure that</p>	<p>The Applicant refers the Council to the updated version of the <b>OTRIMMA</b> submitted at Deadline 7 <b>[REP7-039]</b>, which has been updated following representations made by the Council.</p> <p>The Applicant reiterates that the TRIMMA is not intended to be used to achieve mode share targets. In addition, it is not necessary for the TRIMMA to be linked to the STF (or travel plans) or to GCG for any of these mechanisms to achieve their stated aims.                  Regarding funding, in the Deadline 7 submission of the <b>Sustainable Transport Framework [REP7-042]</b>, the Applicant has provided further detail and has set out a significant increase to the forecast size of the fund. The Green Controlled Growth Framework is shown in <b>[EV16-002]</b> to operate independently of the Framework Travel Plan and TRIMMA because it has its own defined processes, requirements and governance arrangements which are separate from those associated with the FTP and TRIMMA.                  The process for the setting of the Targets required for each future Travel Plan however does require consideration of the GCG Limits, as described in paragraphs 4.1.4(a) and 4.2.4 of the Framework Travel Plan <b>[REP4-044]</b>. Each Travel Plan must then set out the proposed interventions to meet the new Targets for the next five year period, with the travel plan then approved by the relevant planning authority. It is also noted in paragraph 5.1.2 of the FTP that some interventions may be delivered either in partnership with the airport operator, or independently from the airport operator- i.e. the STF is therefore not the only funding to support the delivery of the Travel Plan Targets. The operation of the airport in accordance with each Travel Plan is then secured under Requirement 30(5) of Schedule 2 of the Draft DCO <b>[TR020001/APP/2.01]</b>, which is considered to give the necessary certainty that the proposed measures will be delivered by the airport operator.</p>	<p>The Council welcomes the applicant's response regarding this point and has no further comment to make.</p>
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		<p>the STF value is appropriate and able to support the Travel Plan in achieving objectives of GCG.</p>		
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5	<b>[REP7-080]</b> Paragraph 2.51	<p>REP6-070: 8.139 Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review:</p> <p>This submission has been reviewed. The Council acknowledges that the junction in question falls within the fully modelled area with source data from mobile phones. It also acknowledges and maintains its longstanding position that it recognises that the impacts on the B489 corridor are smaller than those experienced elsewhere.</p> <p>The Council's contention is whether the impacts of the changes in the traffic movements result in effects that are significant due, for example, to the nature of the highway within this area and its relationship to the village layouts and environment, including the proximity of residential receptors to the affected routes. The Council acknowledges that greater information has been presented with regard to the Dunstable Leighton Buzzard Screenline count locations and the presence of a count location on the B489 does provide some increased confidence of the outputs at the junction in question. It is also acknowledged that the validation results in this location are demonstrating a high level of accuracy at the screenline.</p> <p>The Council also acknowledges that the numbers of staff expected to use the route will be extremely low and the concern relates to passenger commuting patterns. The Council's position regarding the heightened sensitivity that should be assigned to the B489 corridor is unchanged. The Council maintains</p>	<p>Buckinghamshire Council acknowledged at the SoCG meeting on 15 January 2024 that the traffic modelling methodology was now agreed. The Applicant maintains its position as set out in <b>Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling [REP6-070]</b> that it is considered that such a small numerical and percentage increase in total traffic would not warrant the need for a capacity improvement at the B489/B488 junction as a result of the proposed airport expansion.</p>	<p>The Council acknowledges the findings of the modelling; however, the Council's concern is not and has not been regarding the capacity of the junction, it is rather a question of the suitability of the B489 for development traffic and the impact of increased traffic on residents in the villages along that route. The impacts of traffic in the early hours will have a greater impact on downstream environmental effects. The change in junction priority that the council seeks therefore aims to protect residents from additional traffic being present on the route and maintaining the signed route as the preferential route between the airport and the A41.</p>
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	<p>that small changes in traffic flows amount to high proportionate changes and the perception and experience of these changes will have a significant effect on residents proximate to the corridor. On this basis, the Council asserts that the Applicant should give fuller consideration to the nature of the resultant effects and that the proportional changes in flows, particularly in the early morning period, merit intervention to reduce the magnitude of effects (principally for mental health and well-being, associated with disturbance).</p> <p>The Applicant is presenting within this document that the daily increase in vehicle numbers at the point of full development is 343 two way movements per day. The peak movements are in the hour 07:00-08:00. In the preceding four hours, the data shows an increase of 57 two way movements. The Council counts show that for this period there are currently 156 two-way movements. The relative increase in the early hours of the morning is therefore significant as a proportion of the current situation. It is recognised that over the lifetime of the development there will be some level of background growth in traffic, however given the time of the night that is being considered, this is not likely to be a significant factor in and of itself.</p> <p>The Applicant has drawn attention to the acknowledgement of known pre-existing concerns in the area and therefore seeks to further justify their position with an expectation that a scheme would need to be delivered irrespective of the airport expansion. The Council has already</p>		
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		<p>implemented measures in the area to manage traffic and risks. The Council is not seeking development in the area that would increase traffic or exacerbate safety concerns and so maintains its position that it is appropriate for the Applicant to deliver the scheme requested, since the airport is the triggering development.</p>		
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6	<b>[REP7-080] Appendix B ID 1</b>	<p>The Council acknowledges the Applicant's statements made during Issue Specific Hearing 7 (ISH7) that progress against Travel Plan targets will be considered on an annual basis and reviewed through the Airport Transport Forum (ATF). This addresses the Council's concerns that the 5 yearly reviews would not provide sufficient management of the travel plan.</p> <p>The Council remains concerned that the STF is not sufficiently detailed and does not provide sufficient funding to ensure the implementation of the proposed measures</p>	<p>In the Deadline 7 submission of the Sustainable Transport Fund [REP7-042], the Applicant has provided further detail and has set out a significant increase to the forecast size of the fund.</p>	<p>The Council confirms that it is now satisfied with the size of the STF fund.</p>
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<p>7</p>	<p><b>[REP7-080]</b>  <b>Appendix B</b>                  ID 2</p>	<p>The Council acknowledges that the impacts of the development do not represent large numbers of vehicle trips during the peak hours. The Council's concerns remain regarding intensification of use of the route through the early hours of the morning and during the day. Consideration of the effects of the traffic impacts needs to acknowledge baseline sensitivity and percentage increases in the context of traffic impacts as determinants of human health- the consideration must therefore be greater than pure highway capacity terms. The Council has undertaken a review of the additional data supplied by the Applicant at Deadline 6. This shows increases in movements in the most sensitive locations along the route of 56 additional movements between the hours of 03:00 and 07:00 or a 145% increase in development traffic. The current total movements during this time period are 245 two-way movements, background growth over the same time period would not be expected to be significant over the same time period given the time of day. Consequently, this would lead to impacts on residents that are believed to be sufficient to warrant intervention by the Applicant, principally to address potential disturbance/sleep disturbance and modal conflict.</p>	<p>The Applicant notes that the forecast percentage increase is 45% and not 145% as stated in the comment.</p> <p>The Applicant maintains its position as set out in Applicant's Response to Applicant's Response to Issue Specific Hearing 7 Action 3 – Ivinghoe Junction Modelling [REP6-070] that it is considered that such a small numerical and percentage increase in total traffic would not warrant the need for a capacity improvement at the B489/B488 junction as a result of the proposed airport expansion.</p>	<p>The Council refers to its previous comment regarding this junction at item 5 in this table.</p>
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8	<b>[REP7-080]</b> <b>Appendix B</b> ID 6	The Council welcomes its addition to the ATF and the submission of the documents regarding its management. The Council considers it necessary for the Applicant to give further attention to the refinement of the terms of reference of the ATF and the OTRIMMA. In particular, some mechanism of cost claw back remains necessary	Please refer to the updated version of the OTRIMMA submitted at Deadline 7 <b>[REP7-039]</b> , This document provides further detail on the future final TRIMMA and on how costs will be managed.  The ATF ToR will be refined post examination. The outline ToR for the ATF Steering Group will be provided within the OTRIMMA.	The Council welcomes the changes that have been included within the latest issue of the documents. The Council remains of the view that the OTRIMMA fund is insufficient and must be index linked.
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9	<b>[REP7-080]</b> <b>Appendix B</b> ID 7	<p>The Council welcomes this response; however, a full on-street audit is required from Luton Town Centre to the airport. The Council has undertaken a test cycle from Eddlesborough to the airport and found that the route is well defined and signed until reaching Luton Town Centre; beyond that point the route becomes undefined and ceases to direct cyclists to the airport. Whilst some elements can be addressed through the future travel plans, a proper audit of sustainable access by all modes, including cycles, should be carried out prior to that point and significant deficiencies should be addressed through the Type 1 mitigation.</p>	<p>Please see the response provided at ID 7 in the <b>Applicant's Response to Deadline 5 Submissions Appendix B - Buckinghamshire Council [REP6-055]</b> regarding the detail of analysis undertaken.</p> <p>As part of the future Travel Plans and the monitoring process a more extensive cycle audit could be undertaken when determining appropriate mitigation measures. This would be discussed in the ATF Steering Group</p>	<p>BC remains of the view that the routes from Luton town centre are required to be reviewed and assessed, however the Council is content that this shall be addressed through the ATF.</p>
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