

Friends of Wigmore Park wish to comment on **REP 7-074 8.167 Draft Section 106 agreement**.

(F) The Applicant is the freehold owner of the interest registered at the Land Registry under title numbers BD180578 and BD20084 and is a company wholly owned by LBC

(H) There is an existing planning permission with reference 17/02300/EIA that was granted on 29 June 2021 which relates to part of the Site and a section 106 agreement dated 25 June 2021 between Luton Borough Council, London Luton Airport Limited, London Luton Airport Operations Limited and Natwest Markets Plc linked to that permission (which agreement is referred to as the Green Horizons Park S106).

This Section 106 agreement does not cover Wigmore Valley Park.

Title deed BD180578 is the title deed of the airport proper.

Title Deed BD20084 is an unrelated freehold in High Town area of Luton that is privately owned.

This has been confirmed by Luton Borough Council.

This Draft Section 106 agreement does not make it clear if it will take precedent over the New Green Horizons Park Section 106 agreement, where both Section 106's cover the same land.

As part of the New Green Horizons Park original Section 106, there is a requirement for a café/pavilion being provided but there was no mention of how many hours a week the building would be required to open. This Section 106 makes no mention of the café/pavilion at all

Another requirement of New Green Horizons Park Section 106 is the provision of new play equipment and a new Skateboard Park. This isn't mentioned either, in this Draft Section 106.

We can see issues if airport expansion is started first with access gained via the existing long term car park with the building of new car parks. We consider it to be a grey area regarding which section 106 was in force, as the New Green Horizons Park Section 106 also covers this land.

Neither Section 106's state what is the minimum standard that has to be completed before the replacement park can be officially classed as open.

Residual Impact Fund (Page 10)

Fund means a fund capped at £1,000,000 to be provided to fund mitigation for residual traffic related impacts that may arise from the Development in accordance with TRIMMA.

This fund appears to be a one-off payment, yet there are 3 phases of construction. There is unlikely to be any funding available for later phases when new areas of Wigmore, Vauxhall and Stopsley wards suffer with the opening of Terminal 2 due to the Eaton Green Link Road.

We have just found and noted **REP9-049 8.167 Draft Section 106 Agreement Revision 1**. We assume this replaces **REP 7-074** but the Library shows this document as still being active on February 5th. Previous points made are still valid except for revised paragraph.

(F) The Applicant is the freehold owner of the interests registered at the Land Registry under title numbers BD180578, BD200841 and BD180578 and has interests in land in the areas of the Councils (save for DBC) as identified in Schedule 1 and on the Site Plans.

Title deed BD180578 is the title deed of the airport proper.

Title deed BD200841 is the leasehold title for the airport and surrounding infrastructure and industrial areas.

Once again the title deed of Wigmore Park BD 204166 is not covered by the Revision 1 Section 106.

Residual Impact Fund (Page 9)

Fund means a fund capped at £1,000,000 to be provided to fund mitigation for residual traffic related impacts that may arise from the Development in accordance with TRIMMA.

The above statement is covered by our comments to [REP 7-074](#)