

LONDON LUTON AIRPORT EXPANSION PROJECT

AFFINITY WATER LIMITED'S RESPONSE TO RULE 17 LETTER DATED 31 JANUARY 2024 [PD-023]

1. We are instructed by Affinity Water Limited (**Affinity Water**) in relation to the application for a development consent order (**DCO**) made by London Luton Airport Limited (**the Applicant**) to authorise the expansion of London Luton Airport (**the Project**). This submission is made on behalf of Affinity Water ahead of Deadline 10 of the Examination on 5 February 2024, in response to the Rule 17 letter issued by the Examining Authority on 31 January 2024 [**PD-023**].
2. In response to the Examining Authority's request for Affinity Water's preferred form of drafting for bespoke protective provisions, Affinity Water confirms it has substantively agreed on the terms of the bespoke protective provisions with the Applicant. The bespoke protective provisions will be appended to a side agreement between the parties. The parties have largely agreed the terms of the side agreement and Affinity Water anticipates reaching substantive agreement in the next few days. Affinity Water will attend to executing the side agreement once the parties reach substantive agreement.
3. Notwithstanding the substantive agreement reached on the bespoke protective provisions, Affinity Water maintains its objection to Schedule 2 paragraph 36(3) of the draft Development Consent Order [**REP9-003**]. Affinity Water's submissions on this paragraph of the draft DCO are outlined in Affinity Water's submissions that it made at Deadline 9 [**REP9-070**].

Pinsent Masons LLP

5 February 2024