



**CENTRAL BEDFORDSHIRE COUNCIL COMMENTS ON DEADLINE 10
SUBMISSIONS**

LONDON LUTON AIRPORT EXPANSION DEVELOPMENT CONSENT ORDER

Version – FINAL

Introduction

This document sets out the response of Central Bedfordshire Council (CBC) to various documents submitted at Deadline 10. The comments include input from technical consultants.

CBC consider that some submissions require a response where it is necessary to provide clarification. Where a document has not been responded to, this does not mean that the points are agreed.

1. REP10 - 003 – Draft Development Consent Order

The Councils position on the DCO is addressed within the submission made by the Joint Host Authorities, '*Host Authorities Statement at Deadline 11 on DCO Matters*'. This includes the latest understood position with regards to the proposed LHA Protective Provisions, and within which (amongst other matters) specific concerns are raised with regards to the wording within Para 55 (3), which would appear to significantly undermine or negate a large part of the Provisions.

Namely, as previously drafted, 55(3) would exclude the need to comply with 55 (1) (a) submission of details and 55 (1) (b) booking of road space in all circumstances where the issuing of a Permit would be applicable. As Permits can be applied to works of all scales, from minor to major, this could then be read as applying to all highways works proposed. However, in general use, Permits are used alongside other processes, such as Section 278 agreements, and are not designed to replicate the functions or requirements of such agreements.

It is understood that the applicant accepts this concern and that the related wording will be deleted in the final draft of the DCO, in which case CBC's concerns with regards to this specific element would be addressed.

2. REP10-036 Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA)

CBC note the changes within the document related to use of the Sustainable Transport Fund as the means of funding MT2 works. Notwithstanding this amendment, CBC's views with regards to the TRIMMA remain as previous, and as outlined in the Council's PADSS.

3. REP10-039 Sustainable Transport Fund

CBC note the change in paragraph 2.3.1 which removes index linking of the fund and instead proposes maintaining the levies as a fixed percentage of the related car parking and drop off charges.

Whilst this may result in similar levels of future income as those predicted within the STF, there is now less certainty over the forecast values detailed within the document, as any increases in levy would be entirely reliant upon commercial decisions made by the Airport Operator.

As such it would be CBC's strong preference to see a reinstatement of an indexation for any imposed levies, or in the event that the approach remains as proposed in 2.3.1, that additional wording is provided to secure a review mechanism, allowing actual and forecast revenues to be compared and reported to the ATF Steering Group and for the ATF Steering Group to be able to make recommendations on levy values.

4. REP10- 046 Applicant's Response to Examining Authority's Rule 17 Request dated 25 January 2024

The Applicant's Response to the Rule 17 letter includes reference to policies relating to the AONB. This states that Policy EE5 of the Central Bedfordshire Local Plan is the relevant policy. However, the correct policy is EE7 (The Chilterns Area of Outstanding Natural Beauty).

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