

February 2024

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

8.06 Statement of Common Ground between London Luton Airport Limited and Thames Water Utilities Limited (Tracked Change Version)

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.06

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

**London Luton Airport Expansion Development Consent
Order 202x**

**8.06 STATEMENT OF COMMON GROUND BETWEEN LONDON
LUTON AIRPORT LIMITED (TRADING AS LUTON RISING) AND
THAMES WATER UTILITIES LIMITED (TRACKED CHANGE
VERSION)**

Deadline:	Deadline 11
Planning Inspectorate Scheme Reference:	TR020001
Document Reference:	TR020001/APP/8.06
Author:	Luton Rising

Version	Date	Status of Version
Issue 1	September 2023	Additional Submission – Deadline 2
Revision 1	October 2023	Additional Submission – Deadline 3
Revision 2	December 2023	Additional Submission – Deadline 6
Revision 3	February 2024	Additional Submission – Deadline 11

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) London Luton Airport Limited (trading as Luton Rising) and (2) Thames Water.

Signed on Behalf of LONDON LUTON AIRPORT LIMITED (TRADING AS LUTON RISING)

Signature:

Name:

Position:

Date:

Signed on Behalf of THAMES WATER UTILITIES LIMITED

Signature:

Name:

Position:

Date:

Contents Page

1	Introduction and purpose	1
1.1	Purpose of Statement of Common Ground	1
1.2	Parties to this SoCG	1
1.3	Proposed Development description	2
2	Engagement with Thames Water	4
2.1	Summary of engagement	4
3	Matters agreed, Ongoing, or not agreed	8
3.1	Clean Water	8
3.2	Existing Thames Water Foul and Surface Water Assets	8
3.3	Assessment Phase 1 Drainage strategy	10
3.4	Assessment Phase 2 Drainage strategy	15
3.5	Protective Provisions	22

Tables

Table 2-1: Engagement between the Applicant and Thames Water

Table 3-1: Summary of matters

1 INTRODUCTION AND PURPOSE

1.1 Purpose of Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) relates to an application made by London Luton Airport Limited, trading as Luton Rising (“the Applicant”), to the Secretary of State for Transport under section 14 of the Planning Act 2008 (“the Act”).
- 1.1.2 The application is for an order granting development consent, known as a Development Consent Order (DCO). The draft DCO is referred to as the London Luton Airport (Expansion) Development Consent Order. The DCO, if granted, would authorise an increase of the permitted capacity of London Luton Airport (“the airport”) to 32 million passengers per annum (mppa) (“the Proposed Development”).
- 1.1.3 This SoCG has been prepared by the Applicant and Thames Water Utilities Limited (“Thames Water”) in respect of the Proposed Development. In particular, this SoCG focuses on:
- a. **Appendix 20.4 Drainage Design Statement [REP5-096]**
 - b. **Design Principles [REP8-023REP5-034]**
 - c. Review of Thames Water Foul Network capacity in relation to increase in sewage discharge as a result of the Proposed Development
- 1.1.4 The purpose and possible content of SoCGs is set out in paragraphs 58-65 of the Department for Communities and Local Government’s guidance entitled “Planning Act 2008: examination of applications for development consent” (26 March 2015). Paragraph 58 of that guidance explains the basic function of SoCGs:
- “A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence.”*
- 1.1.5 SoCGs are therefore, a useful and established means of ensuring that the evidence at the DCO examination phase focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.

1.2 Parties to this SoCG

- 1.2.1 The Applicant is the owner of the airport and is a private limited company wholly owned by Luton Borough Council (LBC). The airport is managed and operated by London Luton Airport Operations Ltd through a Concession Agreement with the Applicant and LBC. This agreement lasts until 2032.
- 1.2.2 Thames Water is responsible for the abstraction, storage, treatment and distribution of water services, as well as the collection, treatment and disposal of wastewater services across London and the Thames Valley. The airport currently has two wastewater discharge location points into the Thames Water public sewer. By virtue

of being a relevant statutory undertaker, Thames Water is a prescribed consultee in accordance with Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and so has been consulted throughout the course of the evolution of the Proposed Development.

1.2.3 The Applicant and Thames Water are collectively referred to in this SoCG as ‘the parties’. The parties have been, and continue to be, in direct communication in respect of the Proposed Development.

1.3 Proposed Development description

1.3.1 The Proposed Development builds on the current operational airport with the construction of a new passenger terminal and additional aircraft stands to the northeast of the runway. This will take the overall passenger capacity to 32 mppa¹. In addition to the above and to support the initial increase in demand, the existing infrastructure and supporting facilities will be improved in line with the incremental growth in capacity of the airport.

1.3.2 Key elements of the Proposed Development include:

- (i) extension and remodelling of the existing passenger terminal (Terminal 1) to increase the capacity.
- (ii) new passenger terminal building and boarding piers (Terminal 2).
- (iii) earthworks to create an extension to the current airfield platform. The vast majority of materials for these earthworks would be generated on site.
- (iv) airside facilities including new taxiways and aprons, together with relocated engine run-up bay and fire training facility.
- (v) landside facilities, including buildings which support the operational, energy and servicing needs of the airport.
- (vi) enhancement of the existing surface access network, including a new dual carriageway road accessed via a new junction on the existing New Airport Way (A1081) to the new passenger terminal along with the provision of forecourt and car parking facilities.

1

On 1 December 2021, the local planning authority (Luton Borough Council) resolved to grant permission for the current airport operator (LLAOL) to grow the airport up to 19 mppa, from its previous permitted cap of 18 mppa. However, the application was then called-in and referred to the Secretary of State for determination instead of being dealt with by the local planning authority, and an inquiry to consider the called-in application took place between Tuesday 27 September 2022 and Friday 18 November 2022. At the time the application for development consent was submitted, the outcome of the inquiry was still unknown and, therefore, all of the core assessment undertaken for the application used a “baseline” of 18 mppa. The application by LLAOL has however since been approved, with a joint decision to grant planning permission issued by the Secretary of State for Transport and Secretary of State for Levelling Up, Housing and Communities on 13 October 2023. In anticipation of this, the Applicant’s environmental assessments included sensitivity analysis of the implications of the permitted cap increasing to 19mppa. As a result, the Applicant believes that the environmental assessments are sufficiently representative of the likely significant effects of expansion, whether the baseline is 18 mppa or 19 mppa. Where the change of the baseline does affect an assessment topic, in most cases it means that the “core” assessments (using an 18 mppa baseline) report a marginally greater change than would be the case with a 19 mppa baseline. The findings of the assessment, including the sensitivity analysis, are presented in the Environmental Statement submitted with the application for development consent.

- (vii) extension of the Luton Direct Air to Rail Transit (Luton DART) with a station serving the new passenger terminal.
- (viii) landscape and ecological improvements, including the replacement of existing open space; and
- (ix) further infrastructure enhancements and initiatives to support the Applicant's target of net zero ground operations by 2040², with interventions to support carbon neutrality being delivered sooner including facilities for greater public transport usage, improved thermal efficiency, electric vehicle charging, on-site energy generation and storage, new aircraft fuel pipeline connection and storage facilities and sustainable surface and foul water management installations.

² This is a Government target, for which the precise definition will be subject to further consultation following the *Jet Zero Strategy*, and which will require further mitigations beyond those secured under the DCO.

2 ENGAGEMENT WITH THAMES WATER

2.1 Summary of engagement

- 2.1.1 The pre-application statutory consultation carried out by the Applicant, and the way in which it informed the application for development consent, is set out in full in the **Consultation Report [AS-048]**. As a statutory undertaker, Thames Water was consulted on the proposals in accordance with section 42 of the Act and submitted a formal response to the consultation carried out by the Applicant.
- 2.1.2 The parties continue to be in direct communication in respect of the Proposed Development.
- 2.1.3 This SoCG between the parties is based on an extensive programme of consultation and ongoing engagement which are summarised in Table 2-1. This sets out the meetings and substantive correspondence that took place and the topics discussed. Matters under discussion are set out in section 3.

Table 2-1: Engagement between the Applicant and Thames Water

Date	Form of correspondence	Details
18 October 2018	Meeting	Introduce and discuss the drainage strategy for the Proposed Development.
25 April 2019	Meeting – Luton Town Hall	Discussion held on the drainage Strategy.
16 December 2019	<u>Email correspondence</u> Email/letter	Response submitted to the 2019 Statutory Consultation.
11 February 2020	Meeting – MS Teams	2019 Statutory Consultation meeting 1 – scheme presentation.
10 September 2020	Meeting – MS Teams	2019 Statutory Consultation meeting 2 – scheme presentation.
21 October 2021	Meeting – MS Teams	Water supply and discharge forecast.
<u>30 November 2021</u>	<u>Meeting – MS Teams</u>	<u>Feedback pre-meeting.</u>
15 December 2021	Meeting – MS Teams	Review forecast provided by Thames Water on East Hyde Treatment Works capacity. Discussions were also held on the requirements for the Thames Water network throughout the assessment phases of the Proposed Development.
04 April 2022	Email/letter	Response submitted to the 2022 Statutory Consultation.
21 June 2022	Meeting – MS Teams	Recap and update on design.

Date	Form of correspondence	Details
13 September 2022	Meeting – MS Teams	Post-statutory consultation engagement with Thames Water to close out outstanding actions.
27 September 2022	Email correspondence /letter	Thames Water responded to overflow pipe query by providing GIS information.
7 November 2022	Meeting – MS Teams	Discussion regarding documents which the Applicant sent to Thames Water on 29 September 2022.
7 March 2023	Meeting – MS Teams	Introduction to new point of contact from Thames Water; update on the SoCG process; discussion about the potential for foul drainage to discharge directly into the Thames Water network.
21 March 2023	Meeting – MS Teams	Further discussion about the potential for foul drainage to discharge directly into the Thames Water network including discussion regarding modelling.
18 April 2023	Meeting – MS Teams	Further discussion regarding modelling.
2 May 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
6 June 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
20 June 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
4 July 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
11 July 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
18 July 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
01 August 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.

Date	Form of correspondence	Details
15 August 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
22 August 2023	Meeting – MS Teams	Technical meeting to discuss modelling requirements and letter from Thames Water
29 August 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
12 September 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
21 September 2023	Meeting – MS Teams	Meeting to discuss the capacity at East Hyde Water Treatment Works
26 September 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
10 October 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
20 October 2023	Meeting – MS Teams	Meeting to discuss preliminary results from detriment assessment by TW consultant.
24 October 2023	Meeting – MS Teams	Regular meeting to progress discussions about the draft SoCG and proposed modelling work.
7 November 2023	Meeting – MS Teams	Meeting to discuss outputs of detriment analysis by TW consultants.
9 November 2023	Meeting – MS Teams	Meeting to discuss the SoCG and agree items where possible.
21 November 2023	Meeting – MS Teams	Meeting to discuss Technical Note on Assessment Phase 1 Carpark P7 and the SoCG items.
27 November 2023	Meeting – MS Teams	Meeting to discuss preliminary outputs of modelling work and Issue Specific Hearing agenda items.
4 December 2023	Email correspondence	Updated SoCG received from Thames Water.
27 November 2023	Meeting - MS Teams	Meeting to discuss preliminary outputs of modelling work and Issue Specific Hearing agenda items

Date	Form of correspondence	Details
<u>12 December</u>	<u>Meeting - MS Teams</u>	<u>Meeting to discuss issue specific hearing 8 actions, SoCG, EA update and modelling update.</u>
<u>19 December 2023</u>	<u>Meeting – MS Teams</u>	<u>Meeting to discuss the Design Principles</u>
<u>03 January 2024</u>	<u>Meeting – MS Teams</u>	<u>SoCG review and discussion.</u>
<u>15 January 2024</u>	<u>Meeting – MS Teams</u>	<u>SoCG review and discussion.</u>
<u>17 January 2024</u>	<u>Meeting – MS Teams</u>	<u>SoCG review and discussion.</u>
<u>24 January 2024</u>	<u>Meeting – MS Teams</u>	<u>SoCG review and discussion.</u>
June 2023 – ongoing	Email correspondence	The Applicant’s legal team and Thames Water Utilities Limited (TWUL) have corresponded by email on TWUL’s <u>Thames Water’s</u> representations and have exchanged drafts of a side agreement and Protective Provisions.

3 MATTERS AGREED, ONGOING, OR NOT AGREED

Table 3-1: Summary of matters

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
3.1 Clean Water					
3.1.1	Clean water assets	London Luton Airport falls outside Thames Water's clean water supply area. Thames Water do not have any assets in or near the proposed Order Limits.	The Applicant acknowledges this.	Response to Statutory Consultation – 1 April 2022	Agreed
3.2 Existing Thames Water Foul and Surface Water Assets					
3.2.1	Surface water sewer location	Thames Water to review records. Survey of the asset is required for further investigation by Thames Water.	It is confirmed that there is a 750mm diameter Thames Water surface water asset running through the new Green Horizons Park development adjacent to the proposed airport expansion. Thames Water and the Applicant agree that Protective Provisions for Thames Water's benefit, secured by	This has been illustrated and shared with Thames Water on the drawing 60709758-ACM-C-xxxx-SK-002 for further investigation by the Applicant. Meeting on 9 November 2023	Agreed

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			agreement, would adequately address the issue.		
3.2.2	Balancing pond overflow	Thames Water advise that the scheme may clash with the overflow from the north balancing pond.	Thames Water and the Applicant agree this issue can be addressed by means of appropriate Protective Provisions, secured by agreement.	Updated SoCG received from TW on 6 November 2023	Agreed
3.2.3	Foul water and surface water sewers affected by highway works	There are a number of foul water and surface water sewers that may be affected by highway adjustments within the Order Limits (including within six satellite boundaries for highway junctions).	This is currently under consideration by the Applicant. It is unlikely that there will be impacts on any of Thames Water's assets. If there are any impacts, these will be covered by the Protective Provisions, secured by side agreement.	Updated SoCG received from TW on 6 November 2023	Agreed
3.2.4	Surface Water Pumping Station	A surface water pumping station to the River Lee sits within the Order Limits (a satellite boundary for thea highway junction at St Mary's Roundabout).	The current Proposed Development will have no impact on the existing pumping station.	Updated SoCG received from TW on 19 September 2023	Agreed

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
3.2.5	Water Industry Act 1991 s105A	There may be a Water Industry Act 1991 section 105A (2011 private sewer transfer) affected by the Luton DART extension.	The Proposed Development is still in outline design. This element of the project design will be carried out during the detailed design stages, <u>should the DCO receive following approval of the DCO</u> . The Protective Provisions, to be secured by agreement, would provide for the protection of Thames Water's assets from impacts associated with the Proposed Development.	Updated SoCG received from TW on 6 November 2023	Agreed
3.3 Assessment Phase 1 Drainage <u>S</u>strategy					
3.3.1	Surface water dispersion	The land at the outfall location from Eaton Green Road balancing pond, may be essential for the dispersion of surface water. However <u>However</u> , Thames Water is unable to determine what impact the proposal will have on groundwater at this site.	Surface water drainage from car park P7 (for assessment Phase 1) will discharge to the Thames Water network at a maximum rate of 5l/s based on the sustainable discharge rule (SUDs hierarchy). An attenuation tank is included in the scheme design of the Proposed Development (<u>refer to Drainage Design Statement Appendix 20.4 of the Environmental Statement</u>	<u>Thames Water and the Applicant acknowledge further work is required as covered within the Design Principles DDS.25.</u> The Applicant accepts the need for a survey and	<u>OngoingAgreed</u>

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>Linked to item 3.2.1 regarding requirement for survey.</p> <p><u>Thames Water acknowledge that further design is needed at Detailed design stage as listed within design principles DDS.25.</u></p>	<p>REP5-096TR020001/APP/5.021). This <u>tank</u> would only be required to attenuated <u>and discharge to TW assets</u> until the new Terminal 2 is developed.</p> <p><u>The Applicant accepts the need, as part of the detailed design stage, for to undertake a survey to assess current discharge via TWULhames Water's assets and, subject to the outcome of the survey, agrees that appropriate measures will be undertaken at detailed design.</u></p> <p>The Applicant <u>seeks is awaiting</u> written confirmation <u>from by</u> Thames Water for the discharge of 5l/s into the Thames Water network. <u>It is noted that 5l/s is a recommendationrecommendati on, and the actual discharge rate will be less.</u></p> <p><u>The Applicant has included within the Design Principles</u></p>	<p>subject to the outcome of the survey, appropriate measures will be undertaken at detailed design.</p> <p>It is noted that 5l/s is a recommendation and the actual discharge rate will be less. Meeting on 1728 January November 20243.]</p>	

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><u>[REP8-023 REP7-034], the following design principle, DDS.25, in relation to the matter(DDS.25):;</u></p> <p><u>“Prior to the detailed design of the proposed attenuation (later storage) tank in the area of the Eaton Green landfill, the following must be undertaken:</u></p> <ul style="list-style-type: none"> <u>• ———Survey to be undertaken on existing 750mm Thames Water Surface Water Sewer (SWS) to establish operational criteria and condition.</u> <p><u>The following must also be demonstrated through the detailed design of the tank:</u></p> <ul style="list-style-type: none"> <u>• ———Location, orientation and dimensional characteristics of tank to ensure no detriment to access and loading of existing 750mm Thames Water SWS</u> <u>• ———Connection from tank to existing 750mm Thames Water SWS to ensure that no</u> 		

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><u><i>infiltration in the existing landfill area occurs</i></u></p> <ul style="list-style-type: none"> • <u><i>Proposed discharge rate and flow restriction method during Assessment Phase 1 to be agreed with Thames Water (max 5l/s)</i></u> • <u><i>An appropriate maintenance and monitoring plan, that would enable identification and mitigation of any potential future leakage from the tank.</i></u> 		
3.3.2	Domestic Foul Discharge flows	Thames Water has a duty to accommodate waste discharge (domestic foul drainage) from assessment Phase 1 of the Proposed Development (the Terminal 1 campus), with an increase to 21.5m ³ /s.	Comment noted.	Meeting on 9 November 2023	Agreed
3.3.3	Trade Effluent Discharge flows	Thames Water require further information on whether the Applicant intends to discharge flows via Thames Water assets.	The Applicant seeks to discharge trade effluent (de-icant contaminated surface water runoff in winter months) to Thames Water assets.	This item is not agreed due to uncertainty on the volumes of de-icant contaminated	Ongoing <u>Agreed</u>

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>Subject to hydraulic modelling and validation of updated trade effluent consent.</p>	<p>The Proposed Development includes new attenuation within the existing contaminated surface water system at Phase 1 and intends to limit the discharge to TW assets at a maximum rate of 2l/s. Any constraints to the time of discharge, would be agreed with TWUL-Thames Water during <u>the</u> detailed design (<u>refer to Drainage Design Statement Appendix 20.4 of the Environmental Statement [REP5-096TR020001/APP/5.021]</u>).</p> <p>This discharge would discontinue once the assessment Phase 2a works are implemented.</p> <p>This item is not yet agreed due to uncertainty on the volumes of de-icant contaminated surface water already discharging to the TW sewer. The Applicant has engaged with the Operator to seek further information and it is</p>	<p>surface water already discharging to the TW sewer. The Applicant has engaged with the operator to seek further information and it is noted that the Operator is currently in the design stage to add attenuation capacity in the near future as part of existing commitments under extant planning consents.</p> <p><u>The Applicant and Thames Water agreed at a meeting on 24 January 2024 24/01/2024 that this matter -can be resolved post</u></p>	

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p>noted that the Operator is currently in the design stage to add attenuation capacity in the near future as part of existing commitments under extant planning consents. The Applicant has included within the Design Principles submitted at Deadline 9, [REP8-023-REP7-034TR020001/APP/7.09], the following design principle, DDS.38, in relation to the matter (DDS.38):</p> <p><i><u>"Monitoring of the existing airport trade effluent flow and loads is required to establish a baseline and inform the detailed design"</u></i></p>	<p><u>consent during detailed design.</u></p>	
<p>3.4 Assessment Phase 2 Drainage strategy</p>					
3.4.1	Domestic Foul Discharge to Thames Water sewer	Thames Water have a duty to accommodate waste discharge (domestic foul drainage) from assessment Phase 2a and Phase 2b of the Proposed	Comment noted.	Meeting on 9 November 2023	Agreed

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
		Development (the Terminal 2 development).			
3.4.2	Thames Water Foul Network	<p>To accommodate the waste discharge (domestic and trade effluent) the existing Thames Water foul network between Eaton Green Road and East Hyde treatment works may require upgrade works.</p> <p>Any upgrades can be delivered using <u>Thames Water</u>WUL's Permitted Development rights. Hydraulic modelling to assess the impact on the existing network has been commissioned by the Applicant and is currently underway.</p>	Comment noted.	Meeting on 9 November 2023	Agreed
3.4.3	East Hyde Treatment Works	<p>To accommodate the domestic foul discharge, the East Hyde Treatment Works, may be subject to potential future upgrades.</p> <p>Any upgrades can be delivered using <u>Thames Water</u>UL's <u>p</u>Permitted <u>d</u>Development</p>	Comment noted.	Meeting on 21 November 2023	Agreed

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
		rights under Section 94 of the Water Industry Act 1991.			
3.4.4	Contaminated Surface Water (Trade Effluent) Discharge to the n Network	<p>Thames Water confirm that contaminated surface water can be discharged to the Thames Water network with appropriate trade effluent consent and potentially subject to local upgrades that can be completed under Thames Water Permitted Development rights.</p> <p>Thames Water <u>will</u> continue to work with the applicant <u>post DCO Application</u> to understand their development needs <u>during detailed design</u>.</p>	<p>The Applicant seeks confirmation <u>from Thames Water</u> regarding whether contaminated surface water can be discharged to the Thames Water network at Connection Point 1 (President Way MH7802) and at a maximum rate to be agreed via modelling. <u>This preferred option is detailed within Section 6.6.4 of the Drainage Design Statement Appendix 20.4 of the Environmental Statement [REP5-096TR020001/APP/5.02]</u>.</p> <p>The Applicant has included within the Design Principles [REP8-023REP7-034/55TR020001/APP/7.09REP5-034] the following in relation to the network <u>and preferred option</u>:</p> <p><u>“DDS.3429 - Active monitoring and discharge control will be implemented to</u></p>	<p><u>Thames Water and the Applicant acknowledge further work is required at Detailed Design stage and as covered within the Design Principles: DDS.34 and DDS.41.</u></p> <p>Agreed at-at The Applicant and Thames Water accept there may be a requirement for Thames Water to undertake localised upgrades to the existing network to provide capacity, the detailed</p>	<u>OngoingAgreed</u>

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><i>ensure no discharge to the Thames Water foul network of attenuated contaminated surface water from Tank 1 during high flow conditions, i.e. when identified existing Combined Sewer Overflow's (CSO) on the drainage route are in operation."</i></p> <p><u><i>"DDS.62 - The detailed design will include specification of real-time continuous monitoring of contaminants to be undertaken throughout the lifecycle of the installation. This monitoring will ensure that any contaminated surface runoff is diverted to a storage tank before being sent to either public sewer (preferred option) or the onsite water treatment plant (reserved option) where it will be treated to an appropriate level before discharging to the underlying aquifer via the infiltration tanks."</i></u></p>	<p>requirements of which are subject to the outcome of ongoing modelling.</p> <p>Appropriate measures will be more clearly understood after DCO consent.</p> <p>It is noted that TWUL can implement any necessary upgrades via their existing permitted development rights as a statutory undertaker.</p> <p>meeting on 24 January 2024[Add date of relevant meeting when this position was agreed?]</p>	

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><u><i>“DDS.40 - The preferred solution for the discharge of contaminated surface water run-off from the airfield will be to the Thames Water foul network, at an agreed rate with the sewerage undertaker, as described in-the Drainage Design Statement Chapter 20.4 of the ES [REP5-096[TR020001/APP/5.02]. If that preferred option cannot be adopted, the reserve option, as detailed in the Drainage Design Statement-Chapter 20.4 of the ES [REP5-096TR020001/APP/5.02]-will be adopted.”</i></u></p> <p><u><i>The Applicant and Thames Water accept there may be a requirement for Thames Water to undertake localised upgrades to the existing network to provide capacity, the detailed requirements of which are subject to the outcome of ongoing modelling.</i></u></p>		

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><u>Appropriate measures will be more clearly understood after DCO consent.</u></p> <p><u>It is noted that Thames Water can implement any necessary upgrades via their existing permitted development rights as a statutory undertaker.</u></p>		
3.4.5	Contaminated Surface Water (Trade Effluent) Discharge to East Hyde	<p>Thames Water confirm that there is a constraint to the surface water treatment capacity at the East Hyde Treatment Works.</p> <p>More detailed hydraulic and process modelling of the sewage treatment works will be required and understanding of existing flow/loads from the airport before confirmation from Thames Water.</p>	<p>The Applicant seeks confirmation of the flow and load capacity that Thames Water can accept (from Phase 2a and 2b of the Proposed Development) to East Hyde treatment works.</p> <p><u>The Applicant has included within the Design Principles [REP8-023REP7-034REP5-034] the following in relation to the discharge:</u></p> <p><u>“DDS.40 — The preferred solution for the discharge of contaminated surface water run-off from the airfield will be to the Thames Water foul network, at an agreed rate with the sewerage undertaker, as</u></p>	<p>TWUL assessment of the existing capacity at East Hyde Treatment Works is ongoing. Whilst this matter is not yet agreed</p> <p><u>†The Applicant and Thames Water have a mutual understanding agree that further work will take place post DCO consent, notably at detailed design stage in accordance with</u></p>	<p><u>OngoingAgreed</u></p>

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p><u><i>described in the revised Drainage Design Statement [REP5-096REP4-031]. If that preferred option cannot be adopted, the reserve option, as detailed in the revised Drainage Design Statement [REP5-096], will be adopted.</i></u></p> <p><u>The Applicant has included within the Design Principles to be submitted at Deadline 9 [TR020001/APP/7.09], the following design principle in relation to the matter (DDS.38):</u></p> <p><u><i>“DDS.38 – Monitoring of the existing airport trade effluent flow and loads is required to establish a baseline and inform the detailed design.”</i></u></p> <p><u>Thames Water’s assessment of the existing capacity at East Hyde Treatment Works is ongoing.</u></p>	<p><u>the Design Principles, to further develop the solution.</u></p> <p><u>Agreed at meeting 24/01/2024 on 24 January 2024</u></p>	
3.4.6	Domestic Blue Water (foul sewage)	Thames Water advise there is sufficient capacity for Blue	The Applicant confirms that Blue Water would be discharged to the Thames	Meeting on 9 November 2023	Agreed

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
	<p>which originated from aircraft holding tanks) discharge to Thames Water sewer</p>	<p>Water subject to adequate attenuation.</p>	<p>Water network at Connection Point 1 (President Way MH7802). The Applicant intends to incorporate a holding tank at the Blue waWater discharge point adjacent to Terminal 2 (to service all aircraft which use T2). This would have at least 24 hours capacity. The flow rate from the tank, and any constraints to the time of discharge, would be agreed with Thames Water during detailed design.</p>		
<h3>3.5 Protective Provisions</h3>					
<p>3.5.1</p>	<p>Protective Provisions</p>	<p>Thames Water do not believe that the provisions of the draft Development Consent Order (“the Order”) satisfactorily protect Thames Water’s existing and future apparatus and ability to comply with its statutory duties or exercise its statutory powers</p>	<p>Substantive agreement has now been reached with Thames Water on Protective Provisions and a side agreement are being discussed and developed with Thames Water to address its concerns, including those items more particularly described above. Significant progress has been made on all</p>	<p><u>Meeting on 24 January 2024</u></p>	<p><u>Ongoing</u> <u>Agreed</u></p>

SoCG ID	Matter	Thames Water position	The Applicant's position	Source of agreement	Agreed / Ongoing / Not agreed
			<p>issues to TWUL's satisfaction and the The Applicant considers that an <u>the</u> agreement will be concluded, securing the Protective Provisions for Thames Water <u>UL</u>'s benefit, prior to the conclusion of the examination.</p>		