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London Luton Airport Expansion

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8.18 Statement of Common Ground between London Luton Airport Limited and Buckinghamshire Council

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.18

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

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

**8.18 STATEMENT OF COMMON GROUND BETWEEN LONDON
LUTON AIRPORT LIMITED (TRADING AS LUTON RISING) AND
BUCKINGHAMSHIRE COUNCIL**


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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) Buckinghamshire Council.

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

Signature: 

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Position: Head of DCO Programme

Date: 09 February 2024

Signed on Behalf of Buckinghamshire Council

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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 37 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 Buckinghamshire Council in respect of the Proposed Development. In particular, this SoCG focuses on:
- a. Climate change and greenhouse gases
 - b. Surface access
 - c. Noise and vibration
 - d. Air quality
 - e. Green Controlled Growth
 - f. Employment Training and Skills
 - g. Economics and employment
 - h. Landscape and visual impact
 - i. Draft DCO
 - j. Airspace change
 - k. Health and Community
 - l. Section 106 agreement
- 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 Buckinghamshire Council is a neighbouring local authority under Section 42(a) of the Act. It is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and so has been consulted throughout the course of the development of the Proposed Development. Until April 2020, when Buckinghamshire Council was formed, the Applicant engaged with Buckinghamshire County Council, Aylesbury Vale District Council, and Chiltern District Council as neighbouring authorities.
- 1.2.3 Having reviewed the application documents and the Relevant Representations, the ExA requested on 13 July 2023 that the Applicant should seek to develop an SoCG with Buckinghamshire Council.
- 1.2.4 The Applicant and Buckinghamshire Council 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 north east 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,

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 19 mppa. 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

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:

- a. extension and remodelling of the existing passenger terminal (Terminal 1) to increase the capacity;
- b. new passenger terminal building and boarding piers (Terminal 2);
- c. earthworks to create an extension to the current airfield platform; the vast majority of materials for these earthworks would be generated on site;
- d. airside facilities including new taxiways and aprons, together with relocated engine run-up bay and fire training facility;
- e. landside facilities, including buildings which support the operational, energy and servicing needs of the airport;
- f. 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;
- g. extension of the Luton Direct Air to Rail Transit (Luton DART) with a station serving the new passenger terminal;
- h. landscape and ecological improvements, including the replacement of existing open space; and
- i. further infrastructure enhancements and initiatives to support the target of achieving zero emission 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.

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.

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 BUCKINGHAMSHIRE COUNCIL

2.1 Summary of engagement

- 2.1.1 The pre-application statutory consultation carried out by the Applicant, and the way in which it has informed the DCO application, is set out in full in the **Consultation Report [AS-048]**. As a statutory consultee, Buckinghamshire Council was consulted on the proposals as a neighbouring local authority in accordance with Section 42 of the Act and submitted a formal response to the statutory consultation carried out by the Applicant in 2022.
- 2.1.2 The parties continue to be in direct communication in respect of the Proposed Development.
- 2.1.3 This SoCG is based on a 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 Buckinghamshire Council (BC)

Date	Form of correspondence	Details
18 March 2021	Greenhouse Gas and Climate change working group – meeting no 1.	Meeting to discuss GHG assessment on topics of methodology, assessing the significance of the effects and potential mitigation. The Jet Zero Strategy and Green Controlled Growth were also discussed.
4 November 2021	Climate change and greenhouse gas working group – meeting no 2	Preliminary findings of 2022 PEIR presented and update on Green Controlled Growth was provided and discussed.
4 April 2022	Email/letter	Response submitted to the 2022 Statutory Consultation
13 September 2022	Climate change and GHG working group – meeting no 3	Updates to assessment since PEIR outlined, including changes to assessment criteria and UKCP18 projection. Detail provided on how consultation responses have been addressed and overview of assessment findings presented. Comments raised about some of the thresholds in the new likelihood and consequence criteria.
8 June 2023	Meeting – MS Teams	Meeting to discuss the DCO application, BC's role in the DCO

Date	Form of correspondence	Details
		process, and key issues related to Highways & Passenger Transport, Noise, Air Quality, Climate Change and Sustainability.
2 August 2023	Meeting – MS Teams	Meeting to discuss Landscape and Visual Impact, Climate Change and Sustainability, and Cultural Heritage.
3 August 2023	Meeting – MS Teams	Meeting to discuss Transport, Air Quality, Economic Development, and Noise.
8 August 2023	Meeting – MS Teams	Meeting to discuss Transport.
8 August 2023	Meeting – MS Teams	Meeting to discuss Airspace Change and Sustainable Aviation Fuels.
21 September 2023	Meeting – MS Teams	Meeting to discuss the Outline Transport Related Impacts Monitoring and Mitigation Approach (OTRIMMA) and Sustainable Transport Fund (STF)
21 September 2023	Meeting – MS Teams	Meeting with BC's Landscape Architect to discuss landscape and visual impacts on the Chilterns Area of Outstanding Natural Beauty (AONB)
2 October 2023	Meeting – MS Teams	Meeting with BC's highway officers to discuss and progress surface access matters in the SoCG.
15 November 2023	Meeting – MS Teams	Meeting with BC's highway officers to discuss and progress surface access matters in the SoCG.
16 November 2023	Meeting – MS Teams	Meeting with BC's officers to discuss Green Controlled Growth and Noise
6 December 2023	Meeting – MS Teams	Meeting with BC's traffic and transport officers to discuss the OTRIMMA.
12 December 2023	Meeting – MS Teams	Meeting with BC's traffic and transport officers to discuss the surface access related matters in the SoCG.
15 January 2024	Meeting – MS Teams	Meeting with BC to discuss the draft S106 agreement, in particular the ETS related sections.
15 January 2024	Meeting – MS Teams	Meeting with BC's traffic and transport officers to discuss the surface access related matters in the SoCG, and the

Date	Form of correspondence	Details
		surface access documents submitted at Deadline 7.
17 January 2024	Meeting – MS Teams	Meeting to discuss the outstanding health and community matters in the SoCG.
29 January 2024	Meeting – MS Teams	Meeting to discuss the outstanding surface access matters in the SoCG.

3 MATTERS AGREED, ONGOING, OR NOT AGREED

Table 3-1: Summary of matters between the Applicant and Buckinghamshire Council (BC)

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
<p>3.1 Climate Change and Greenhouse Gases</p>					
<p>3.1.1</p>	<p>Sustainable Aviation Fuels – modelling scenarios</p>	<p>BC considers that the Applicant places an unwarranted level of confidence in the introduction of Sustainable Aviation Fuels (SAF) and next generation aircraft.</p> <p>The Applicant should assess and account for, in a meaningful way, the probability of the delivery of hydrogen/Low Carbon aircraft and sufficient quantities of SAF being available in the future.</p> <p>Sensitivity analysis using uncertainty analysis should be undertaken to reflect the probability of realisation. Graphics should be updated to show this meaningfully and clearly e.g. apply uncertainty bars/probability bars to figures 12.1 and 12.2 of Environmental Statement (ES) Chapter 12.</p> <p>Future legislative targets relating to the introduction of SAFs and next generation aircraft are presented as “certainties” without accounting for probability of delivery.</p> <p>BC welcomes the acknowledgement by the Applicant that there is significant uncertainty. BC’s position regarding the need to model these uncertainties remains unchanged.</p> <p>BC does not accept that insufficient data is available; as a minimum, professional judgement should be used to apply uncertainty to the data in Fig. 12.4, e.g., a 40% slower development in each case and subsequently to re-calculate the carbon emissions that would result. This should also be fed into the GHG analysis and the modelling of cost of the carbon etc.</p> <p>By undertaking this exercise, the Applicant will also be able to demonstrate the impacts of the slower development in the decarbonisation of aviation. Where this could be the case, the slower development in SAF and next generation aircraft would result in greater reliance on the UK Emissions Trading Scheme and CORSIA to offset the resulting GHG emissions from increased passenger number, as well as the BAU emissions. With the increased need for offsetting, this could impact on the Right to Fly at low-cost aspect put forward by the DCO, with the cost of offsetting passed through to the</p>	<p>Carbon emissions for aviation in the Environmental Statement (ES) are modelled on the Jet Zero Strategy (JZS) High Ambition scenario that represents current UK Government policy on aviation.</p> <p>As such, the assumptions that underpin this scenario are therefore assumed to be an appropriate basis on which to model future GHG emissions from the Proposed Development.</p> <p>There are numerous DCO and other planning application examples where future GHG emissions have assumed to be in line with Government Policy for example Bristol Airport aligns with the JZS and the recently granted DCO for the A428 Black Cat to Caxton Gibbet is reliant on the government’s commitments set out in the Transport Decarbonisation Plan to decarbonise emissions from road transportation.</p> <p>Chapter 12 of the ES [REP3-007] acknowledges that there is some uncertainty about the speed and mix at which the various technology options, including SAFs and next generation aircraft, will be implemented. The graph presented in Inset 12.4, on page 70, presents the contribution each GHG reduction option makes to overall reduction from aviation emissions. Given the acknowledgement around uncertainty, it is therefore possible to see the relative contributions that the use of SAFs, improvements in efficiencies, and the use of zero emission aircraft make according to the High Ambition Scenario presented in the JZS and to discount each mitigation measure as necessary. But it is not possible, given the existing availability of modelling data, to apply quantitative estimates of uncertainty via the use of error bars or similar means.</p> <p>Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA) works alongside other measures to offset CO₂ emissions that cannot be reduced through the use of technological improvements, operational improvements, and SAFs with emissions units from the carbon market. CORSIA aims to ensure that international aviation’s net carbon emissions do not increase from 2020 levels. Participating</p>		<p>Not agreed</p>

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>customer by airlines and potentially resulting in reduced passenger numbers due to affordability.</p>	<p>airlines are required to monitor their emissions and report them to their respective national authorities. These authorities verify the reported emissions and ensure compliance with CORSIA regulations.</p> <p>Currently the scheme is voluntary and serves as a pilot phase. From 2027 onward, all eligible international flights will be required to offset their emissions above the baseline level.</p> <p>The Applicant does not consider there to be any specific evidence on the production and take up of SAFs that could be modelled to provide a more 'meaningful way' of modelling emissions from aviation.</p> <p>It remains the Applicant's position that it is reasonable to assume that stated government policy, including on aviation decarbonisation as described in the Jet Zero Strategy, will be implemented in full in order for the UK to remain compliant with carbon budgets and net zero targets.</p> <p>The Applicant's position on sensitivity analysis remains as presented in Chapter 12 Greenhouse Gases of the ES [REP3-007], specifically paragraphs 12.9.17 to 12.9.19, Table 12.23 and Inset 12.3. The relative contributions to decarbonisation of the aviation mitigation measures described in the JZS are shown graphically in Inset 12.4.</p> <p>It should be noted that the demand forecasts already take into account the costs of carbon, including the costs of UK Emissions trading Scheme (UK ETS) permits, CORSIA or of abatement as set out in the Need Case [AS-125], Section 6.3. Hence, the level of demand growth has already been moderated to reflect the higher future costs associated with meeting carbon reduction targets.</p>		
3.1.1b	Sustainable Aviation Fuels – efficiency savings	<p>Historically, efficiency improvements are offset by increased use, see Jevons Paradox. Any efficiency gains in future and next generation aircraft are likely to be at least in part or totally offset by an increase in flying. For example, although jet engines are considerably more efficient than in the 1950s, they are also significantly larger and more powerful. Aircraft size is typically increased to accommodate more passengers thus negating the efficiency savings. This must be adequately accounted for and graphically displayed within the conclusions.</p> <p>In addition, "efficiency savings" are presented as pure gains. This has implications for the assessment of greenhouse gas emissions, air quality and noise generated by the Proposed</p>	<p>The Applicant recognises that greater efficiencies resulting from improvements in aircraft engines and airspace management could exert a downward pressure on costs that might lead to increased demand (via the Jevons Paradox noted). But this downward pressure will be more than countered by increased costs resulting from market-based measures such as the UK ETS and the CORSIA as well as the higher costs associated with the use of SAFs and other new technologies.</p> <p>The JZS envisages that the costs associated with carbon or its abatement through the adoption of SAFS, or other new technologies are expected to increase the costs to airlines.</p>		Not agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>Development. BC disagrees that ‘efficiency savings’ should be presented as pure gains within assessment work.</p> <p>BC asserts that the Applicant should do the following:</p> <ul style="list-style-type: none"> • Make explicit the sensitivity analyses conducted on UK ETS and CORSIA price development within its models. • Show the effect of the above within an update to the GHG assessment [REP3-007]. • Show also how the sensitivity analyses above accounts for failure of any or all of the JZS measures to come forward and show the effect upon both price and cumulative emissions of each or all of these measures not coming forward; Efficiency savings, SAF savings, Zero Emissions Aircraft (ZEA), savings (see Insert 12.4 within [REP3-007]). <p>The above notwithstanding, BC considers that Table 12.23 within [REP3-007] should be extended to include sensitivity analyses upon Efficiency savings, SAF savings and ZEA savings not coming forward upon cumulative carbon emissions.</p> <p>The above must demonstrate beyond doubt that the Proposed Development is robust to the sensitivities inherent within future technological development and that they would not increase GHG emissions to the extent that future governments were unable to meet future carbon budgets.</p>	<p>The demand forecasts underpinning the Proposed Development have taken these higher costs, using the same assumptions as used in Jet Zero, into account, so reducing the level of demand growth projected. Ultimately, passenger demand cannot grow beyond the limits imposed by planning authorities, and overall aviation emissions from aviation at Luton Airport will be managed and capped by the UK ETS within the European Economic Area, and CORSIA for all international aviation.</p> <p>The UK ETS sets an overall, scheme-wide cap on the amount of carbon which may be emitted by operators, including participating airlines. The available allowances place a cap on the total amount of GHG emissions that can be emitted by sectors, including aviation, covered by the UK ETS. This cap will be reduced over time stimulating innovation by participants to increase the carbon efficiency of their operations, or indeed to take steps which would reduce the overall scale of their operations. This effectively puts a binding cap on the amount of GHG emissions the aviation sector can emit. The UK government has made it clear that available allowances under the UK ETS will be aligned with the UK meeting the Sixth Carbon Budget and later Carbon Budgets to net zero in 2050.</p> <p>The Applicant acknowledges the inevitable uncertainty around the future cost of compliance with market-based mechanisms such as the UK ETS and CORSIA, and the incidental implications for passenger demand. The coverage of the UK ETS across multiple sectors including aviation means that any projections of future cost of carbon are subject to uncertainty, particularly in combination with the delivery of mitigation measures.</p> <p>Any attempt to model the impact of this uncertainty on GHG emissions via sensitivity analysis, involving so many different variables, can be of only very limited value to the planning process. The Applicant notes that while improved efficiency of the aviation sector can have an upward pressure on passenger demand, this is countered by the impacts of carbon pricing which are fully accounted for with sensitivity tests of a range of carbon/abatement costs as set out within the Need Case [AS-125] and Need Case Appendix B [APP-214]. This ensures that the implications of any change in carbon pricing is accounted for in the demand forecasts.</p> <p>It remains the Applicant’s position that the existing qualitative sensitivity analysis as presented in Table 12.23 of Chapter</p>		

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
			12 Greenhouse Gases of the ES [REP3-007] provides sufficient context for the purposes of the DCO application and having regard to the fact that GHG emissions from aircraft are a matter to be addressed at the national level principally.		
3.1.1c	Sustainable Aviation Fuels - forecasting	<p>As stated by BC in SoCG ID 3.1.1, the Applicant should be able to demonstrate the impacts of the slower developments in SAF and next generation aircraft.</p> <p>If this scenario occurred, it would result in a greater reliance on the UK Emissions Trading Scheme (UK ETS) and CORSIA to offset the resulting GHG emissions from increased passenger numbers, as well as existing BAU emissions. With the increased need for offsetting, this could impact on the right to fly at low-cost aspect put forward by the DCO, with the cost of offsetting passed through to the customer by airlines and potentially resulting in reduced passenger numbers due to affordability.</p> <p>The right to fly cheaply needs to be demonstrated as achievable even if these measures do not come forward, otherwise the need case is undermined.</p> <p>BC does not agree with the forecasting. BC asserts that the Applicant should generate scenarios reflecting different probabilities of SAF and next generation aircraft usage.</p> <p>Scenarios should be subject to sensitivity testing.</p>	<p>As part of the forecasting process, account has been taken of the costs of carbon abatement, i.e. the higher cost of SAFs or of electric or hydrogen aircraft consistent with the assumptions made by Government in JSZ as explained in the Need Case and Appendices [AS-125 and APP-214]. Efficiency savings such as from improved airspace design are also taken into account in the demand forecasts to ensure that the forecasts are robust. The Applicant considers that any uncertainties as to the take up of SAFs or next generation aircraft usage are reflected in the range of carbon pricing assumptions used in deriving the forecast demand scenarios albeit that these cannot be directly related to specific assumptions about SAF take up, the price of SAF or the take up of new generation aircraft. The approach is consistent with that applied in the Government's Jet Zero Strategy modelling.</p> <p>The Applicant's position on sensitivity analysis remains as presented in Chapter 12 Greenhouse Gases of the ES [REP3-007], specifically paragraphs 12.9.17 to 12.9.19, Table 12.23 and Inset 12.3. The relative contributions to decarbonisation of the aviation mitigation measures described in the Jet Zero Strategy are shown graphically in Inset 12.4.</p>		Not agreed
3.1.2	Forecasting – RCP	BC agrees with the use of 10%, 50% and 90% probability levels, leading to the selection of Representative Concentration Pathway (RCP) 8.5 from UKCP18, commensurate with a global temperature increase of approximately 4.3 degrees centigrade by 2100. This represents an appropriately conservative case to assess climate change resilience against.	Noted.	This was added to BC's Comments on Further Deadline 1 Submissions [REP1-038]	Agreed
3.1.2b	Decommissioning	It is noted that de-commissioning of the Proposed Development has been scoped out (para 9.3.18 of Chapter 9 of the ES). BC recommend a Requirement of the DCO to ensure that a separate assessment is required for future de-commissioning.	Decommissioning was scoped out of the ES entirely, not just the Climate Change Resilience assessment [APP-035] and this was agreed by the Planning Inspectorate in the Scoping Opinion [APP-168] . The Applicant does not consider it appropriate to include any requirement for decommissioning to be subject to further assessment. It is considered that the airport, once operational, will be a permanently functional airport and that the site will not be undertaking activities that		Not agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>The Applicant should accept and draft a requirement for a separate assessment of climate change resilience with regards to future decommissioning of the site.</p> <p>The decommissioning of a development is an important component of its lifecycle. Consideration should be given to how the site will be used following the decommissioning of the airport, ensuring that the impacts of climate change projected for that time period are assessed and that strategies or actions are formed based on the projected outcomes.</p>	<p>pose a long-term risk requiring detailed decommissioning plans or assessment. There are no foreseen elements of the airport which will become redundant during the lifespan of the Proposed Development. No shorter timescale decommissioning has been identified at the point of submission for development consent. Future decommissioning which arises after the consent of the Proposed Development will be subject to appropriate planning and assessment requirements.</p>		
3.1.3	Sensitivity analysis – mitigation measures tested	<p>The Applicant should quantitatively assess the effect upon GHG emissions of the “Faster Growth Scenario” as set out in the JZS, and should conduct sensitivity analyses with respect to the effects of the different technological development trajectories that are recognised within the JZS. This should include, as a minimum:</p> <p>a) What would be the effect upon cumulative emissions of annualised efficiency improvements that still meet the 2% over the whole period, but where the initial improvements are lower and made up for with accelerated development in the 2040s?</p> <p>b) What if sufficient feedstock is not available to supply the required levels of Sustainable Aviation Fuel (SAF)?</p> <p>c) What would be the impact upon cumulative emissions if the zero emission aircraft do not develop at the anticipated rate?</p> <p>The Applicant implies that it is for the public and other interested parties to read off the data from the graph and assess the sensitivities themselves, which is hardly a reasonable approach. The Applicant, at ISH2 mentioned that a Monte Carlo simulation had been conducted on carbon pricing, which can involve hundreds or even thousands of scenarios to be calculated. Yet for this case, even a single sensitivity analysis is being rejected.</p>	<p>The High Ambition Scenario considered in the JZS and Core Planning Case assessed and reported in Chapter 12 of the ES [REP3-007] consider the national delivery of three key mitigation measure to reduce aviation emissions:</p> <ul style="list-style-type: none"> • Fuel efficiency measures; • Sustainable aviation fuel; and • Zero emission aircraft. <p>The efficacy in of each of these measures in reducing emissions incrementally during assessment for the Proposed Development is shown in Inset 12.4: The incremental effect of JZS mitigation policies on aviation emissions of Chapter 12 of the ES [REP3-007]. Therefore, the aviation emissions should each of these measures not be delivered is also shown in Figure 12.4; which in effect provides a quantified sensitivity test should each of these measures not be delivered with the top line being aviation emissions without any of these measures, that is, the ‘worst case’; which it is understood is being requested. This is inherent to the Core Planning Case for GHG emissions from aviation and does not need to be included in the section on ‘sensitivity tests’ which is in response to the process and tests described in Chapter 5 of the ES [AS-075]. Therefore, it is not considered proportionate or appropriate to develop numerous combinations of each of these measures over various timescales and calculate the emissions.</p> <p>The Applicant’s position on sensitivity analysis remains as presented in Chapter 12 Greenhouse Gases of the ES [REP3-007], specifically paragraphs 12.9.17 to 12.9.19, Table 12.23 and Inset 12.3. The relative contributions to decarbonisation of the aviation mitigation measures described in the Jet Zero Strategy are shown graphically in Inset 12.4.</p>		Not agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.1.3b	Sensitivity analysis – application of guidance	<p>BC is not suggesting that national policy mitigation measures, such as the Jet Zero Strategy (JZS) are excluded from scenarios. What we are requesting is for sensitivity analysis to be applied to the JZS High Ambition scenario, providing evidence that steps have been taken to look at this in detail, rather than assume that what is demonstrated in this scenario will happen come 2050.</p> <p>BC do not disagree that the IEMA guidance highlighted by the Applicant has been followed correctly, only that greater depth of modelling and analysis needs to be undertaken to ensure that a range of possible emissions pathways are demonstrated. The above will also provide a view on the impact that offsetting schemes will need to meet the Net Zero Targets, as well as demonstrate the financial impact on the airline industry and potentially passenger numbers if costs are passed through, potentially reducing the requirement for the expansion of Luton Airport.</p> <p>The area of uncertainty is clearly covered in the IEMA guidance, which states that:</p> <p>“Uncertainty can be considered by:</p> <ul style="list-style-type: none"> • Testing upper and lower limits; • Testing for different inclusions and exclusions; (p.13)”. <p>As stated by the Applicant in SoCG ID 1, there is uncertainty with regards to the future fleet mix and how it will develop, therefore this should be tested to establish the potential range of greenhouse gas emissions resulting from aviation and not rely only on the JZS High Scenario.</p> <p>It is for the Applicant to demonstrate that the Proposed Development does not hinder the delivery of national policy. The sensitivity studies are necessary to show that this is the case and the Applicant has so far failed to do this.</p> 	<p>The assessment of significance of these quantified emissions follows the Institute of Environmental Management & Assessment (IEMA) Guide: Assessing Greenhouse Gas Emissions and Evaluating their Significance, 2nd Edition, February 2022. Key to defining significance in this guidance is the degree to which a project mitigates emissions with respect to “applicable existing and emerging policy requirements and good practice design standards for projects of this type”. Given that the JZS, and the mitigation measures in it and considered above, are national policy that can be delivered, and not hindered, by the Proposed Development they are considered embedded in the Proposed Development, not additional. Therefore, further assigning of significance to any scenarios where these national policy mitigation measures are not delivered is not considered appropriate.</p> <p>The Applicant’s position on sensitivity analysis remains as presented in Chapter 12 Greenhouse Gases of the ES [REP3-007], specifically paragraphs 12.9.17 to 12.9.19, Table 12.23 and Inset 12.3. The relative contributions to decarbonisation of the aviation mitigation measures described in the Jet Zero Strategy are shown graphically in Inset 12.4.</p>		Not agreed
3.2 Surface Access					
3.2.1	Impacts of airport traffic on Buckinghamshire communities – primary vehicular	BC accepts that the M1 motorway will provide the primary vehicular access to the airport.	The Applicant welcomes and agrees with BC’s comment.	Initial meeting between BC and the Applicant on 2 August 2023	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
	access to Airport				
3.2.1b	Impacts of airport traffic on Buckinghamshire communities – methodology of preferential vehicular route through Buckinghamshire	<p>There is a large catchment area to the west of the airport that is not well served by the motorway network and therefore the local road network will continue to provide preferential routes across Buckinghamshire. It is these areas that the Highway Authority seeks to ensure are not impacted in an unacceptable manner as a result of this DCO.</p> <p>BC has received sufficient information from the Applicant that demonstrates that the impacts are below a level that requires mitigation. BC has confidence in the modelling outputs within Buckinghamshire now that validation has taken place within the County.</p> <p>BC maintains that the B488 is the most appropriate route for traffic using the western long-distance commuting route, and has undertaken surveys on the B489 to support its position, and obtain baseline traffic flows on the route. It is now agreed that BC are satisfied that the model validates well enough for the matters of the B489 to be considered using the model and the existing screenlines following review of the B489 note against BC's survey data.</p>	<p>The Applicant understands there is the potential for some redistribution of vehicular trips around the local highway network as a result of the Proposed Development.</p> <p>However, any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203, AS-123, APP-205, APP-206].</p>	Meeting on 15 January 2024	Agreed
3.2.1c	Impact of airport traffic on Buckinghamshire communities – morning flows	It is not agreed that the impacts of morning flows on the Buckinghamshire network are not significant.	The Applicant is of the view that the impacts of morning flows on the Buckinghamshire network are not significant. Further and extensive data on the redistribution of vehicular trips around the local highway network as a result of the Proposed Development, including early morning flows (5am to 7am), that was requested by BC was reported in the Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070] .		Not agreed
3.2.1c	Impacts of airport traffic on Buckinghamshire communities – Aylesbury	<p>It is recognised that the highway network in Aylesbury acts as a route hub for all directions and is therefore very sensitive to congestion and small changes in traffic have a significant impact on the performance of the network.</p> <p>BC are satisfied that sufficient information has been provided regarding the way in which Temprow has been applied for the Aylesbury area.</p>	<p>The Applicant understands there is the potential for some redistribution of vehicular trips around the local highway network as a result of the Proposed Development.</p> <p>However, any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203, AS-123, APP-205, APP-206].</p> <p>The Applicant explained that growth within Buckinghamshire area was directly tied up to DfT projects as included in NTEM v7.2 and agreed with BC to summarise the information and</p>	Meeting on 15 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
			share it with BC. This was shared directly with BC on 11 December 2023.		
3.2.1d (1)	Impacts of airport traffic on Buckinghamshire communities – re-prioritisation works on the B488/B489	<p>The villages of Pitstone, Marsworth and Ivinghoe are also sensitive to traffic changes, noting they are situated on a direct route to the airport.</p> <p>BC seeks agreement from the Applicant for highway mitigation works at the junction of the B488 and B489 in Ivinghoe to change the junction priority, as required by Policy TRA2 of the 'made' Ivinghoe Parish Neighbourhood Plan 2014-2033. It is acknowledged that the projected peak hour traffic in this area is expected to be low, but BC considers that this is a major route from Buckinghamshire and Dacorum to the Airport, and the sensitivity of the network in this area is such that small changes would have unacceptable impacts. The continuous nature of the traffic profile is therefore sufficient to justify this mitigation.</p> <p>BC has maintained since its Written Representation [REP1-042] paragraph 2.2.6 that the demonstrated long distance commuting route uses the Buckinghamshire network via the B489. The intensification in use of this is shown within the applicants Trip Distribution Plans [REP5-037] and therefore mitigation should be provided.</p> <p>BC has data that has been obtained from ATC surveys commissioned after ISH4 and can be shared with the Applicant (on request) to assist this position.</p> <p>BC asserts that route re-prioritisation works at the B488/B489 junction should be included as off-Site highway works within the DCO.</p>	<p>The Applicant understands there is the potential for some redistribution of vehicular trips around the local highway network as a result of the Proposed Development.</p> <p>However, any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203, AS-123, APP-205, APP-206]. As such, the Applicant does not believe it necessary or appropriate to utilise BC's survey data.</p> <p>This junction was not identified as requiring mitigation following a comprehensive Transport Assessment.</p>		Not agreed
3.2.1d	Impacts of airport traffic on Buckinghamshire communities – rural villages on B488/B489	<p>Following discussions with the Applicant BC accept that the strategic modelling and the Local Model Validation Report (LMVR) is demonstrated to be suitable for detailed assessment within Buckinghamshire. (See 3.2.1.b).</p> <p>BC has confidence in the modelling outputs within Buckinghamshire now that validation has taken place within the County.</p>	<p>The Strategic Model CBLTM-LTN has been calibrated and validated as per the DfT's TAG guidance. Moreover, the model is considered fit for purpose by all Host Authorities and National Highways.</p> <p>Within Appendix E of the LMVR, several route choice validation analyses were reported, including to and from the airport, and "long distance".</p> <p>The Strategic Modelling Forecasting Report, Appendix F of the Transport Assessment [APP-201] has an extensive</p>	BC comments on the SoCG on 24 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
			<p>level of outputs reported such as traffic flows, link volume to capacity ratios, nodes delays, select link and routing analysis. Moreover, the recently submitted daily airport passenger and staff trip distribution, which was requested by the Examining Authority, adds to the list of outputs.</p> <p>Based on the forecast and impact assessment, the Applicant considers the impact on the mentioned areas to not be significant. This is primarily due to the low level of airport demands travelling to and from Buckinghamshire and/or using its local road network.</p> <p>At Deadline 4 the Applicant submitted the Applicant's Response to Issue Specific Hearing 4 Action 6: Traffic on B489 Link [REP4-087].</p> <p>At Deadline 6, Further and extensive data that was requested by BC was reported in the Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070]. This also includes the trip distribution of the early hours as requested.</p> <p>The OTRIMMA [TR020001/APP/8.97]</p> <p>and the Sustainable Transport Fund [TR020001/APP/8.119] provides further information on how traffic impacts will be mitigated, including how residual impacts – such as those on the Ivinghoe Junction – may be mitigated.</p> <p>The Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070] provides further information.</p>		
3.2.2	Technical Concerns with Strategic Model	Following discussions with the Applicant BC accept that the strategic modelling is demonstrated to be suitable for detailed assessment within Buckinghamshire.	The Applicant welcomes BC's confirmation that it has confidence in the modelling outputs.	Meeting on 15 January 2024	Agreed
3.2.3	Traffic impacts within Buckinghamshire – input data for the Traffic modelling	Following discussions with the Applicant, information on how NTEM v7.2 has been included in the modelling, and the submission of the Applicant's Response to Issue Specific Hearing 7 Action 3 - Ivinghoe Junction Modelling Review [REP6-070] , BC accept that the strategic modelling is demonstrated to be suitable for detailed assessment within Buckinghamshire.	The Applicant welcomes BC's confirmation that it accepts that the strategic modelling is suitable for detailed assessment within Buckinghamshire.	Meeting on 15 January 2024	Agreed

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		BC are satisfied that the modelling quality is suitable for the areas of concern within Buckinghamshire.			
3.2.4	Airport Transport Forum (ATF) representation	<p>BC welcome the fact that two of the five objectives for the Surface Access Strategy [APP-228] relate to improving public transport mode share, and that there is a focus on bus and coach access specifically. BC note that there is an ATF which includes many local Councils. BC accepted on 29 September 2023 an invitation to partake in the ATF as a member.</p> <p>BC has identified suitable participants for the ATF meetings.</p>	<p>The Applicant is committed to working with local stakeholders to improve sustainable transport options including public transport. The 5-yearly Travel Plans will monitor airport travel against the agreed targets and any measures required will be subject to consultation before implementation on potential initiatives to improve the sustainable mode share and meet targets.</p> <p>The Applicant acknowledges that BC accepted on 29 September 2023 an invitation to partake in the ATF; the Applicant will work with BC and other ATF members to deliver any necessary sustainable transport measures.</p>	Meeting with BC on 3 August 2023	Agreed
3.2.5	Local bus routes in Buckinghamshire – route 61	<p>BC welcomes the increase in the size of the STF and considers that it now has sufficient funds available to support the range of measures intended.</p> <p>BC has reviewed the Bus and Coach Study [TR020001/APP/8.122], and welcome the inclusion of the route X61 service, but consider the proposed three-hourly frequency of the X61 service to be insufficient to provide a level of service suitable for use by commuters or passengers to the airport.</p> <p>However, BC welcome the update to the Bus & Coach Study at Deadline 8 to include an hourly X61 service for discussion in the ATF Steering Group, for the inclusion of the service in future Travel Plans.</p>	<p>The Applicant is committed to working with bus operators to support measures for further improving sustainable transport within the area.</p> <p>Improvements to the public transport network are not entirely within the gift of the Applicant and require discussion and negotiation with third parties. In the future, the airport operator will work closely with bus service operators through the ATF and development of future Travel Plans, which will set out measures to improve services in order to meet future mode share Targets.</p> <p>The Bus and Coach Study [TR020001/APP/8.122], identified bus service 61 as a route to be prioritised for implementation. This may be confirmed for funding through processes outlined in the Sustainable Travel Fund [TR020001/APP/8.119], following consultation with the ATF Steering Group.</p> <p>The increase in the value of the fund and the introduction of the opportunity to pump prime interventions has been subsequently added to increase stakeholder confidence in the fund and its ability to achieve the ambitious targets to be set out in future Travel Plans. Further information on the STF is within the updated Sustainable Travel Fund [TR020001/APP/8.119]. The Bus and Coach Study presents undetailed potential services that may be included in future Travel Plans. Any detail around routes and timetabling are not yet confirmed. Any potential intervention for sustainable transport funding should be submitted to the ATF and the ATF Steering Group following serving of the notice to grow under article 44 off the draft DCO (dDCO) [REP9-003]. All</p>	Meeting on 15 January 2024	Agreed

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			<p>spending decisions regarding the STF will be made by the ATF Steering Group.</p> <p>Further information on the STF, regarding how funding may be brought forward to pump prime bus and coach services, was provided at Deadline 7 in the Applicant's Response to Issue Specific Hearing 7 Action 10 – Sustainable Travel Fund [TR020001/APP/8.119].</p> <p>The Bus and Coach Study [TR020001/APP/8.122] has been updated to identify the X61 route operating at least hourly for discussion by the ATF Steering Group.</p>		
3.2.6	Strategic bus services in Buckinghamshire hire	<p>BC acknowledges that it now has a seat at the ATF, and this is considered to be progress towards ensuring that Buckinghamshire residents needs will be heard.</p> <p>BC remains of the position that this high speed service between Aylesbury and London Luton Airport is required in order to fulfil the Applicant's stated aims of connecting the local workforce and passengers to the airport, as well as addressing air quality, economic benefits and health and wellbeing in the area.</p> <p>This service is required to provide a viable public transport option for those approaching from the west of the airport.</p> <p>BC welcome the update to the Bus and Coach Study [TR020001/APP/8.122] that identifies this high speed route for discussion in the ATF Steering Group, for inclusion in future travel plans.</p>	<p>The Applicant is committed to working with bus operators to support measures for further improving sustainable transport within the area.</p> <p>Improvements to the public transport network are not entirely within the gift of the Applicant and require discussion and negotiation with third parties. In the future, the airport operator will work closely with bus service operators through the AFT and development of future Travel Plans, which will set out measures to improve services in order to meet future mode share Targets.</p> <p>The Applicant submitted the Bus & Coach Study [TR020001/APP/8.122] at Deadline 5, updated at Deadlines 8 and 10, which provides more information on bus service provision.</p> <p>Further information on the STF, regarding how funding may be brought forward to pump prime bus and coach services is outlined in the Sustainable Transport Fund [TR020001/APP/8.119].</p> <p>The Bus and Coach Study [TR020001/APP/8.122] has been updated to identify the high-speed route between Aylesbury and London Luton Airport for discussion by the ATF Steering Group.</p> <p>The Applicant welcomes BC's confirmation that it is content with the arrangements for discussions in the ATF Steering Group.</p>	Meeting on 15 January 2024	Agreed
3.2.7	Sustainable Transport Fund – mechanism for identifying	BC welcomes the increase in the value of the STF and the ability to make £1 million available for forward funding.	Following the submission of the application for development consent, the Applicant has developed the Sustainable Transport Fund [TR020001/APP/8.119] to be used to fund measures identified within the Framework Travel Plan (FTP) [REP8-024] . The Bus and Coach Study	BC comments on the SoCG on 24 January 2024	Agreed

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	eligible projects and funds		<p>[TR020001/APP/8.122] identified six bus and coach interventions to be prioritised, which would be funded through the STF if agreed for implementation through the ATF Steering Group.</p> <p>£1 million of the fund will be made available at the beginning of the Proposed Development to allow the pump priming of services. See the Sustainable Transport Fund [TR020001/APP/8.119].</p>		
3.2.8	Sustainable Transport Fund – benchmarking of funding	BC welcomes the changes in the STF wording, and therefore the ability to administer the funds more freely. Whilst some uncertainty remains, BC is willing to agree at this stage that the fund is available and able to meet its objectives.	The Applicant welcomes BC's confirmation that it agrees with the STF funding and that it is able to meet its objectives.	BC comments on SoCG on 24 January 2024	Agreed
3.2.9	Sustainable Transport Fund - governance	BC are satisfied that the dDCO suitably captures the requirements of the STF.	At Deadline 10 the Applicant took the decision for the STF to be secured via the dDCO rather than the Section 106 Agreement as previously proposed. All of the requirements relating the STF that were captured via the terms of the Draft Section 106 Agreement are now captured via the STF document itself, which in turn is to be secured via requirement 32 of the Deadline 10 version of the dDCO [TR020001/APP/2.01] .	BC comments on SoCG on 24 January 2024	Agreed
3.2.10	Construction traffic – primary route network	<p>BC welcome the prioritisation of movements of construction traffic via the Primary Route Network and acknowledge that the majority of spoil movements are unlikely to pass through Buckinghamshire.</p> <p>The Council also welcome the forming of the TMWG and would emphasise the importance of it being a member, specifically given its role as consultee in discharging requirements 14 and 15.</p> <p>The inclusion of the Council as a consultee on Requirements 14 and 15 and the Applicant's confirmation that the Deadline 11 CTMP will reflect BC's invitation to be a member of the TMWG means that this matter is now agreed.</p>	<p>An Outline Construction Traffic Management Plan (CTMP) [TR020001/APP/8.97] has been prepared and submitted as part of the application for development consent This includes a proposal for a Traffic Management Working Group to be formed as a forum for stakeholder engagement during construction (refer to Section 3 of the Outline CTMP). A detailed CTMP, substantially in accordance with the Outline CTMP, will be prepared and submitted for approval by the relevant local planning authority following approval of the DCO. This is secured by Requirement 14 of the dDCO [TR020001/APP/2.01].</p> <p>The Applicant invites Buckinghamshire Council to be a member of the TMWG, as confirmed in the updated CTMP submitted at Deadline 11 [TR020001/APP/5.02].</p>	BC comments on the SoCG on 3 November 2023	Agreed
3.2.10b	Construction traffic – use of local road network	BC notes that sections of the Major Road Network which may be affected include routes through Buckinghamshire (e.g. A41 via Hemel Hempstead or A418 via Leighton Buzzard). A robust Construction Traffic Management Plan will be required, which should include measures that protect rural routes from	An Outline CTMP [TR020001/APP/8.97] has been prepared and submitted as part of the application for development consent This includes a proposal for a Traffic Management Working Group to be formed as a forum for stakeholder engagement during construction (refer to Section 3 of the Outline CTMP). A detailed CTMP, substantially in accordance	Meeting on 29 January 2024	Agreed

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		<p>impacts and BC are happy to work with the Applicant to develop this.</p> <p>BC considers it necessary to be a part of the Traffic Management Working Group (TMWG) or a required consultee of the TMWG to ensure that local routes in Buckinghamshire are not adversely impacted by construction traffic.</p> <p>BC asserts that the Applicant should:</p> <ul style="list-style-type: none"> - Confirm if Buckinghamshire sites are required for construction materials to be sourced from. - If construction trips are required from Buckinghamshire, BC should be part of the TMWG. - If construction trips are not required to begin or end in Buckinghamshire, BC should be a named consultee of the TMG. <p>The inclusion of the Council as a consultee on Requirements 14 and 15 and the Applicant's confirmation that the Deadline 11 CTMP will reflect BC's invitation to be a member of the TMWG means that this matter is now agreed.</p>	<p>with the Outline CTMP, will be prepared and submitted for approval by the relevant local planning authority following approval of the DCO. This is secured by Requirement 13 of the DCO [TR020001/APP/2.01].</p> <p>It is not currently possible to fully identify what materials are to be used and where they will be sourced from, so the Applicant is unable to confirm what sites, if any, in Buckinghamshire material will be sourced from. However when the design is at a much more mature stage and materials to be used and sources where these materials are procured are identified, the CTMP will be updated accordingly and consultations will be made with BC.</p> <p>The version of the dDCO, submitted at Deadline 9 [REP9-030], was updated to explicitly state that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p> <p>BC are a consultee on the discharge of Requirements 14 and 15, and the Applicant invites Buckinghamshire Council to be a member of the TMWG. The CTMP has been updated to reflect this and submitted at Deadline 11 [TR020001/APP/5.02].</p>		
3.2.10c	Construction traffic – CTMP controls	<p>The CTMP is silent on protections for the Buckinghamshire network from freight operations and lacks detail on freight routing strategy.</p> <p>Without strong provision within the CTMP, BC does not have confidence that there will be suitable control of potential impacts from freight operations in respect of the Buckinghamshire transport network. BC seeks to secure consultation on these documents where they affect Buckinghamshire's network and residents, and the ability to require changes and/or clarifications and controls within the management strategies be included within the documents.</p> <p>It is acknowledged that some of this detail will not be available until a contractor is involved. It may be possible for the Applicant to set stipulations within the CTMP of things that will not be permissible, and this could include certain stipulations regarding the Bucks transport network. This needs to be explored further.</p> <p>Should suppliers be based in Buckinghamshire they will be operating under existing permission, however routes may not</p>	<p>An Outline CTMP [TR020001/APP/8.97] has been prepared and submitted as part of the application for development consent . This includes a proposal for a Traffic Management Working Group to be formed as a forum for stakeholder engagement during construction (refer to Section 3 of the Outline CTMP). A detailed CTMP, substantially in accordance with the Outline CTMP, will be prepared and submitted for approval by the relevant local planning authority following approval of the DCO. This is secured by Requirement 14 of the dDCO [TR020001/APP/2.01].</p> <p>Detailed measures to manage construction traffic impacts would be set out in the CTMP, which would be developed in detail by the appointed contractor during the detailed design stage, and must be substantially in accordance with the Outline CTMP [TR020001/APP/8.97].</p> <p>It is expected that origin of these movements would be from existing freight and materials suppliers who would have existing permissions to utilise the network for their purposes.</p>	Meeting on 29 January 2024	Agreed

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		<p>be suitable for large numbers of trips by certain vehicles, and so BC require involvement to ensure that management strategies are in place to protect routes and communities on any affected routes.</p> <p>BC asserts that the Applicant should agree to the requirements set out in 3.2.10b.</p> <p>BC request involvement in the CTMP and for the Applicant to establish a mechanism for this.</p> <p>The inclusion of the Council as a consultee on Requirements 14 and 15 and the Applicant's confirmation that the Deadline 11 CTMP will reflect BC's invitation to be a member of the TMWG means that this matter is now agreed.</p>	<p>The CTMP outlines the formation of a traffic management working group (TMWG) as a forum for stakeholder engagement prior to the commencement of the Proposed Development. The TMWG would seek representation from the lead contractor, the local highway authorities, and National Highways.</p> <p>The Applicant will consider whether construction impacts can be included in the ATF Steering Group governance processes, or if it would be appropriate to involve BC in the CTMP process. The version of the dDCO, submitted at Deadline 9 [REP9-003], was updated to explicitly state that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p> <p>BC are a consultee on the discharge of Requirements 14 and 15, and the Applicant invites Buckinghamshire Council to be a member of the TMWG. The CTMP has been updated to reflect this and submitted at Deadline 11 [TR020001/APP/5.02].</p>		
3.2.10d	Construction traffic – CTMP and Code of Construction Practice (CoCP) – compliance to BC Freight Strategy	<p>BC considers the B488 to be wholly inappropriate for any HGV movements associated with construction of the airport expansion and so should feature as an excluded route within the CoCP [REP8-013]. This would accord with BC's Freight Strategy.</p> <p>The B489 falls within the Ivinghoe HGV strategy area and therefore is required to be protected from airport construction traffic.</p> <p>To do this the Applicant should use an HGV management system, similar to those undertaken for HS2 and East West Rail. These systems provide certainty that sensitive locations are protected from impacts and require the schemes to use approved routes only.</p> <p>The CTMP framework needs to be updated to reflect measures by which the full CTMP shall protect those areas identified by BC policy as sensitive.</p> <p>The inclusion of a requirement on the lead contractor to use an HGV management system, and the inclusion of BC as a consultee on the CTMP means that this matter can be agreed.</p>	<p>Detailed measures to manage construction traffic impacts would be set out in the CTMP, which would be developed in detail by the appointed contractor during the detailed design stage, and must be substantially in accordance with the Outline CTMP [TR020001/APP/8.97].</p> <p>It is not intended by the Applicant to utilise the local road network for material supplies however it is expected that the origin of these movements would be from existing freight and materials suppliers who would have existing permissions to utilise the network for their purposes.</p> <p>To protect sensitive roadways within the local and greater areas, such as the B488, the contractor will be required to utilise a HGV management system that aligns with the logistics policies as agreed within the development team and with the Local authorities. This management system will be secured in the final CTMP, as stated in the Outline CTMP [TR020001/APP/8.97]. The measures may include the following:</p> <ul style="list-style-type: none"> • Provide the HGV drivers information packs through the contractor/supplier, this pack would contain routes to take during that specific construction phase including locations of site entrances, the presence of cycle and pedestrian infrastructure within the vicinity of the 	Meeting on 29 January 2024	Agreed

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		The inclusion of the Council as a consultee on Requirements 14 and 15 and the Applicant's confirmation that the Deadline 11 CTMP will reflect BC's invitation to be a member of the TMWG means that this matter is now agreed.	<p>construction site/compound and local congestion points and periods.</p> <ul style="list-style-type: none"> The logistics routes will include acceptable highways/intersections and will delineate prohibited travel routes. The use of prohibited travel routes will be penalised and may result in "red card" banned from delivery and/or supply of services to site. All Site deliveries will be electronically managed with delivery slots allocated to each load. As such all scheduled deliveries will be timed to cause minimum disruption to the highway and avoid peak travel times (including school runs etc. Periodic inspections of vehicle travel routes will be taken on by the contractor to ensure travel is maintained within the accepted HGV delivery routes. All reviews will be available for local authority's inspection by request. <p>The version of the dDCO, submitted at Deadline 9 [REP9-003], was updated to explicitly states that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p>		
3.2.11	Impacts of operational HGV movements on Buckinghamshire	<p>For post-build movements, BC note that the increase in HGVs (rising from 133 currently to a projected 2043 figure of 268) is unlikely to impact upon local roads in Buckinghamshire. A large proportion of the projected HGV flows appear to serve the extended passenger terminal facilities – these do not identify Buckinghamshire as being a generator of these movements, but BC would welcome clarification of this.</p> <p>BC is seeking clarity on how HGV movement will be controlled/excluded from the BC highway network.</p> <p>BC asserts that the Applicant should undertake a commitment to secure routing agreements with suppliers serving the airport with more than 10 HGVs a day.</p>	The Applicant confirms that the forecast increase in HGVs would be minimal on the Buckinghamshire local road network, with negligible traffic originating in Buckinghamshire. The Framework Travel Plan [REP8-024] states that future travel plans may explore opportunities to increase the efficiency of goods vehicles trips and consolidation of servicing movements, which can be discussed with BC through the ATF Steering Group. However, at this stage before the Proposed Development begins the Applicant is not willing to restrict HGV movements relating to the supply chain of the airport's operations to exclude Buckinghamshire.	Meeting on 29 January 2024	Not Agreed
3.2.12	Construction Traffic – modal share	<p>Regarding construction traffic movements, BC requires the following:</p> <ul style="list-style-type: none"> Consultation on the further development of the CTMP, which should incorporate specific targets for each mode to expand 	Detailed construction impacts would be set out in the CTMP (as secured by Requirement 14 of the dDCO [TR020001/APP/2.01]), which would be developed in detail by the appointed contractor during the detailed design stage and must be substantially in accordance with the Outline	Meeting on 29 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
	and worker movements	<p>on the current division between sustainable and unsustainable modes. 'Unsustainable' modes should be disaggregated into types, with associated data.</p> <ul style="list-style-type: none"> The Outline Construction Workers Travel Plan ([REP8-018] is required to be updated to show how the Buckinghamshire network is to be affected; and this should be tested within the updated traffic modelling as appropriate. <p>BC appreciates that the Applicant is not yet in a position to provide the clarity sought regarding the movement of construction workers.</p> <p>Notwithstanding this, BC views the CTMP as a document that could potentially provide some parameters to control potential impacts from construction worker movements. BC is therefore keen to be kept informed of updates to the CTMP and given the opportunity to have a meaningful influence upon them.</p> <p>BC asserts that the Applicant should ensure that BC is afforded the opportunity to review the updated CTMP prior to its finalisation. It is suggested that this could be part of the discussions undertaken through the ATF.</p> <p>This matter can now be considered agreed as BC have been included as a consultee on Requirements 14 and 15.</p>	<p>CTMP [TR020001/APP/8.97]. It is expected that origin of these movements would be from existing freight and materials suppliers who would have existing permissions to utilise the network for their purposes.</p> <p>The dDCO [TR020001/APP/2.01] has been updated to explicitly state that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p>		
3.2.13	Traffic modelling methodology	<p>Following discussions with the applicant BC accept that the strategic modelling is demonstrated to be suitable for detailed assessment within Buckinghamshire.</p> <p>BC are satisfied that the model validates well enough for the matters of the B489 to be considered using the model and the existing screenlines following review of the B489 note against BC's survey data.</p>	The Applicant welcomes BC's confirmation that the traffic modelling has been demonstrated to be useful.	BC comments on SoCG on 24 January 2024	Agreed
3.2.14	Scope of transport assessments	<p>BC request to know if any transport assessments have been undertaken which suggest that the airport is or will be a regular attractor of trips from the south of Buckinghamshire, in particular Chesham, Amersham or High Wycombe, for which public transport access is also unavailable.</p> <p>BC is content to accept that subject to the supply of distribution information of a satisfactory quality this matter can be considered closed.</p> <p>It is maintained that the assessment in this area is less than the standard that BC would expect, however it is also accepted that in practical terms mitigation would be unlikely to</p>	See response to 3.2.1. Any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203 to APP-206] .	BC comments on SoCG on 24 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		be justified to these locations. BC does however consider that this places a greater responsibility on the Applicant to ensure that provisions are made where they can be, such as to two public transport services that BC has identified.			
3.2.15	Glint and glare assessment	BC has reviewed the Glint and Glare Assessment [REP4-040] and is satisfied that there are no likely adverse impacts on highways in Buckinghamshire.	The Applicant welcomes BC's confirmation that it is satisfied that there are no likely adverse impacts on highways in Buckinghamshire.	BC comments on SoCG on 24 January 2024	Agreed
3.2.16	Rule 9 Covid Modelling	BC has received sufficient information from the Applicant that demonstrates that the impacts are below a level that requires mitigation. BC has confidence in the modelling outputs within Buckinghamshire now that validation has taken place within the County. BC are satisfied that the model validates well enough for the matters of the B489 to be considered using the model and the existing screenlines following review of the B489 note against BC's survey data.	The Applicant welcomes BC's confirmation that the modelling has been demonstrated to be suitable.	BC comments on the SoCG on 24 January 2024	Agreed
3.3 Noise and Vibration					
3.3.1	Operational air noise impacts on Buckinghamshire residents	BC consider that an increase in operational air noise may be noticed by some Buckinghamshire residents. This is because despite the whole of the Buckinghamshire administrative area falling outside the predicted lower observed adverse effect level (LOAEL) contours, although ES assessments indicate the final phase night-time contour could extend just across the Buckinghamshire border, the 92-day summer average day and night noise (as measured by the LOAEL) doesn't reflect the noise generated by individual overflights or at periods of peak activity. It is these events that generally lead to complaints. Areas most likely to be affected are Dagnall, Pitstone and a section of BC to the east of Aylesbury, including Wendover, which is also overflowed by low level northbound traffic from Heathrow. BC confirm that these technical issues are now largely resolved. However, BC has questioned the threshold values used for monitoring and trigger points, as well as membership eligibility for the ESG and Technical Panels. The not agreed areas are covered separately as item 3.5.1 in this SoCG. Notwithstanding the above BC acknowledge the amendments made to the Technical Panels Terms of Reference and welcome the Council's potential inclusion within the noise	The assessment has shown that Buckinghamshire is outside of the Lowest Observable Adverse Effect Level (LOAEL), even for the final phase night-time contour. Below the LOAEL, Planning Practice Guidance – Noise (Department for Communities and Local Government (2019), Planning Practice Guidance: Noise) notes that noise may be “present and not intrusive” and that the outcome is that “Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life.” This is consistent with the conclusions of the assessment presented in Chapter 16 of the ES [REP9-011] . However, additional context for the noise assessment is provided using N65, N60 and overflight metrics, which provides information on noise generated by individual overflights over Buckinghamshire. For example, see Figures 16.21 – 16.26 (assessment phase 1), Figures 16.45 – 16.50 (assessment phase 2a) and Figures 16.69 – 16.74 (assessment phase 2b) of the ES [AS-106; AS-107; AS-110; AS-111; AS-114] .	This issue was discussed as part of Issue Specific Hearing 9 as Deadline 6 Submission - 8.136 Applicant's Post Hearing Submission - Issue Specific Hearing 9 (ISH9) [REP6-067] . BC noted in comments on the SoCG on 24 January 2024 their agreement with the technical responses included in the	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		technical panel, should the noise limit review identify any changes to the noise contours that cross the BC boundaries.		Applicant position.	
3.3.2	Air noise impacts on the Chilterns AONB	<p>Part of the Chilterns Area of Outstanding Natural Beauty (Chilterns AONB) lies within BC's administrative area. BC will resist any changes which have a permanent significant noise effect on the Chilterns AONB. The NPPF states that planning policies and decisions should 'identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value'. As set out in section 3.2(e) of the Air Navigation Guidance 2017, where practicable, it is desirable that airspace routes below 7,000 feet should seek to avoid flying over AONBs and National Parks. BC seeks better protection than this. In line with CAA expectations the impact must be considered more carefully by the applicant during the remainder of the DCO process.</p> <p>BC confirm that technical issues are now largely resolved. However, BC has questioned the threshold values used for monitoring and trigger points, as well as membership eligibility for the ESG and Technical Panels. The not agreed areas are covered separately as item 3.5.1 in this SoCG.</p> <p>Notwithstanding the above BC acknowledge the amendments made to the Technical Panels Terms of Reference and welcome the Council's potential inclusion within the noise technical panel, should the noise limit review identify any changes to the noise contours that cross the BC boundaries.</p> <p>It is agreed between BC and the Applicant that the proposals will give rise to significant adverse landscape character effects including impacts on tranquillity within the areas of the Chilterns AONB in Buckinghamshire that lie beneath the identified 7000ft noise contours (as identified in Chapter 14 Landscape and Visual Figures 14.14 – 14.17) [AS-102].</p> <p>BC accept that there are no mitigation measures available to address the significant adverse effects on the tranquillity of the AONB.</p>	<p>The approach to the assessment of noise and tranquillity in line with the NPPF is set out in Section 16.5 of Chapter 16 of the ES [REP9-011].</p> <p>An assessment of the impact of noise (amongst other factors including overflight below 7,000 ft) on the Chilterns AONB is presented in Chapter 14 of the ES [AS-088].</p> <p>As is made clear in Paragraph 3.2 and 3.3 of the Air Navigation Guidance, paragraph 3.3I which notes "where practicable, it is desirable that airspace routes below 7,000 feet should seek to avoid flying over Areas of Outstanding Natural Beauty (AONB) and National Parks" is in the context of "requests to change the airspace design" (para 3.3). Changes to airspace and flightpaths are outside the scope of the Proposed Development and any changes, including their impact on AONBs and National Parks, would be assessed as part of the CAA's environmental assessment process.</p> <p>The Applicant welcomes BC's confirmation that technical issues are now largely resolved.</p>	<p>This issue was discussed as part of Issue Specific Hearing 9 as Deadline 6 Submission - 8.136 Applicant's Post Hearing Submission - Issue Specific Hearing 9 (ISH9) [REP6-067].</p>	Agreed
3.3.3	Overflight of the Chilterns AONB – mechanism for	<p>BC wishes to see overflight of the Chilterns AONB included within the Terms of Reference for the NEDG, and secured appropriately through the DCO, as the Noise Envelope is developed further. In addition, BC is seeking a guarantee that the Noise Envelope review process will provide certainty that any future airspace changes will ensure that noise impacts</p>	<p>The work of the Noise Envelope Design (NEDG) group has concluded and the NEDG issued their final report in October 2022. The purpose of the NEDG was to provide advice and recommendations of the design of the Noise Envelope, with no intention that the NEDG would have an ongoing role post consent. See the NEDG terms of reference appended to the</p>	<p>This issue was discussed as part of Issue Specific Hearing 9 as Deadline 6 Submission - 8.136</p>	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
	assessment and control	<p>are no greater than those relied upon should the DCO be granted.</p> <p>BC confirm that technical issues are now largely resolved. However, BC has questioned the threshold values used for monitoring and trigger points, as well as membership eligibility for the ESG and Technical Panels. The not agreed areas are covered separately as item 3.5.1 in this SoCG.</p> <p>Notwithstanding the above BC acknowledge the amendments made to the Technical Panels Terms of Reference and welcome the Council's potential inclusion within the noise technical panel, should the noise limit review identify any changes to the noise contours that cross the BC boundaries.</p>	<p>NEDG Final Report in Annex A of Appendix 16.2 of the ES [REP4-023].</p> <p>Ongoing oversight and technical review of Green Controlled Growth (GCG) and the Noise Envelope will be undertaken by the Noise Technical Panel and Environmental Scrutiny Group (ESG). See GCG Explanatory Note [TR020001/APP/7.07].</p> <p>In line with the NEDG recommendations, the Noise Envelope contains a defined framework to review the Noise Envelope Limits in response to airspace change (see paragraph 3.2.27 onwards of GCG Explanatory Note [TR020001/APP/7.07].</p> <p>The Noise Limit Review process (see paragraph 3.2.27 onwards of GCG Explanatory Note [TR020001/APP/7.07]) sets out the process through which the Noise Limits will be reviewed, and where possible reduced, following an approved airspace change.</p> <p>Paragraph 2.3.4 of the GCG Framework [TR020001/APP/7.08] states <i>"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 ES."</i></p> <p>Assessment of changes to airspace and flightpaths (and their impacts on the Chilterns AONB) are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate assessment (which explicitly requires the consideration of overflight of AONBs) and consultation exercise by the airport operator in accordance with CAA procedure (CAP1616). The Applicant welcomes BC's confirmation that technical issues are now largely resolved.</p>	Applicant's Post Hearing Submission - Issue Specific Hearing 9 (ISH9) [REP6-067] .	
3.3.4	Noise Envelope reviews	<p>In order to ensure the correct application and efficacy of the Noise Envelope, BC is seeking reassurance that the Noise Envelope will be subject to timely review at such time as changes in airspace are proposed (i.e. through FASI-S). In addition to this, BC wishes to see a review one year after operation and a mechanism to trigger intervening reviews more frequently than the five years currently proposed within the Terms of Reference for the NEDG, secured appropriately through the DCO.</p> <p>BC confirms that technical issues are largely resolved; however, BC has questioned the threshold values used for</p>	<p>In line with the NEDG recommendations, the Noise Envelope contains a defined framework to review the Noise Envelope Limits in response to either the ICAO publishing a new 'noise chapter' for the Next-Gen, low carbon, aircraft (i.e. the next 'Chapter' following on from the current 'Chapter 14') or the approval of an Airspace Change Proposal such as FASI-S (see paragraph 3.2.27 onwards of GCG Explanatory Note [TR020001/APP/7.07]). This mechanism would be triggered by these operational changes, rather than being time limited as suggested. See response to paragraph 3.4.8 on timing of the review cycle.</p>	BC comments on the SoCG on 24 January 2024	Agreed

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		<p>monitoring and trigger points, as well as membership eligibility for the ESG and Technical Panels.</p> <p>Notwithstanding the above BC acknowledge the amendments made to the Technical Panels Terms of Reference and welcome the Council's potential inclusion within the noise technical panel, should the noise limit review identify any changes to the noise contours that cross the BC boundaries.</p>	The Applicant welcomes BC's confirmation that technical issues are now largely resolved.		
3.3.5	NEDG role outside of the ESG	<p>The NEDG should continue to operate as an independent entity from the ESG, with this independence secured through appropriate means as part of the DCO.</p> <p>BC understands and accepts that the NEDG work is concluded and that the point raised here is no longer relevant.</p>	The Applicant welcomes BC's confirmation that this point is no longer relevant, as the NEDG has concluded.	BC response to draft SoCG 23 November 2023	Agreed
3.3.6	WHO Environmental Noise Guidelines	Whilst BC would still encourage the Applicant to comply with WHO Environmental Noise Guidelines 2018 for the European Region, it is acknowledged that these are aspirational and that there is no policy requirement to do this.	<p>The Government response on the WHO Environmental Noise Guidelines 2018 is as follows: "The government is considering the recent new environmental noise guidelines for the European region published by the World Health Organization (WHO). It agrees with the ambition to reduce noise and to minimise adverse health effects, but it wants policy to be underpinned by the most robust evidence on these effects, including the total cost of action and recent UK specific evidence which the WHO report did not assess."</p> <p>Although the dose-response relationship in the new WHO Guidelines is not currently adopted in UK policy, sensitivity testing using the relevant updated relationships in the WHO guidelines has been undertaken and is presented in Chapter 13 Health and Community of the ES [AS-078].</p> <p>The Applicant notes BC position.</p>	BC response to draft SoCG 23 November 2023	Agreed
3.3.7	Construction noise impacts	<p>BC requests confirmation of the noise impacts of the scheme construction on receptors in Buckinghamshire, and seeks clarity on the controls that will be incorporated within the CTMP as it is developed.</p> <p>BC acknowledges that there is an outline CTMP and that Requirement 14 of the dDCO [TR020001/APP/2.01] secures its implementation. Notwithstanding this, BC is concerned that the CTMP is not sufficiently rigid in establishing a framework of protection for the Buckinghamshire highway network, meaning that there remains too much flexibility in the development of the detailed CTMP for BC to be certain that unexpected adverse effects will not manifest within Buckinghamshire. Suggestions for additional controls are</p>	<p>Detailed construction measures would be set out in the CTMP (as secured by Requirement 14 of the dDCO [TR020001/APP/2.01]), which would be developed in detail by the appointed contractor during the detailed design stage.</p> <p>It is expected that origin of these movements would be from existing freight and materials suppliers who would have existing permissions to utilise the network for their purposes.</p> <p>The version of the dDCO, submitted at Deadline 9 [REP9-003], was updated to explicitly state that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant</p>	Meeting with BC on 29 January 2024	Agreed

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		<p>presented in relation to Surface Access at 3.2.9, 3.2.10c and 3.2.10d.</p> <p>The inclusion of the Council as a consultee on Requirements 14 and 15 and the Applicant's confirmation that the Deadline 11 CTMP will reflect BC's invitation to be a member of the TMWG means that this matter is now agreed.</p>	<p>planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p> <p>The Applicant invites Buckinghamshire Council to be a member of the TMWG, as confirmed in the updated CTMP submitted at Deadline 11 [TR020001/APP/5.02].</p>		
3.4 Air Quality					
3.4.1	Air quality assessment study area	It is noted that the study area for the air quality assessment completed as part of the ES does not cover any area within BC. The study area has been discussed and developed with stakeholders in the air quality working group, of which BC is a member.	This is noted by the Applicant.	BC's relevant representation submitted to PINS on 30 June 2023 [RR-0166]	Agreed
3.4.2	Air quality assessment methodology and baseline data	The approach to the air quality assessment and baseline data used is generally considered acceptable.	This is noted by the Applicant.	BC's relevant representation submitted to PINS on 30 June 2023 [RR-0166]	Agreed
3.4.3	Air quality assessments	<p>BC believe that there is the potential for the villages within the north of Buckinghamshire to be negatively impacted by changes in traffic from the Proposed Development. BC requested that if the revised traffic data shows that the screening thresholds, as outlined within the Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) guidance document 'Guidance on land-use planning and development control: Planning for air quality', were exceeded then there may have been a requirement to conduct an additional air quality assessment that makes use of the updated transport modelling.</p> <p>Deficiencies in traffic modelling have now been addressed and agreed by BC. REP7-079 Accounting for Covid-19 in Transport Modelling – Environmental Appraisal screens the findings of the updated traffic data against the IAQM triggers. Further assessments were completed where required and the report concludes the updated traffic is not considered to materially change the results and conclusions reported in Chapter 7 Air Quality Revision 1 of the ES [AS-076], nor are there any new significant impacts predicted. BC</p>	The Applicant welcomes BC's position that it agrees with the conclusions reported in Chapter 7 of the ES [AS-076] .	BC comments on the SoCG on 24 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		agrees with this conclusion and does not have any further comments.			
3.4.4	Automatic monitoring station data	<p>Section 7.5.6 of Chapter 7 of the ES states that an automatic monitoring station has been installed at the airport and that the data is published near to real time. It is noted in the exceedance summary monitoring data for PM10 and PM2.5 (particulate matter) in 2023 that there is limited data and what data is available is at very low capture rates (between 10 and 60%). It is therefore recommended that the automatic monitor is inspected to understand why this pollutant is no longer being measured as the data could prove to be very important to understanding the impact the Proposed Development may have on the local air quality.</p> <p>BC wishes to see the evidence supporting the Applicant's assertion that the data gap does not impact the baseline.</p>	This is noted by the Applicant and has been investigated. Data loss occurred due to repairs required on the GRIMM monitor. This has now been fixed and is back in operation, it does not impact any of the data used in the ES to inform the baseline.	<p>BC accepts the Applicant's response.</p> <p>Agreement confirmed via BC's review of SoCG 19 October 2023</p>	Agreed
3.4.5	Air quality baseline data	BC agrees with the baseline data collection and presentation of future baseline information	The Applicant considers that the baseline data collection and future baseline information, as detailed in Appendix 7.2 of Chapter 7 Air Quality of the ES [APP-062] , are robust. These were discussed and agreed during Air Quality TWG meetings.	ES Appendix 7.2 Air Quality Baseline Data [APP-062]	Agreed
3.4.6	Air quality assessment study area	<p>BC agrees with the study area, however BC's Strategic Environmental Protection Team would seek to ensure that the Stole Road, Friarage Road and Tring Road AQMAs are not negatively impacted by the application for development consent. This is especially as air quality monitoring data collected by BC in 2022 found exceedances of the National Air Quality Objectives within the Friarage Road AQMA. The results of the air quality monitoring can be found within the 2023 Annual Status Report.</p> <p>Deficiencies in traffic modelling have now been addressed and agreed by BC. [REP7-079] Accounting for Covid-19 in Transport Modelling – Environmental Appraisal screens the findings of the updated traffic data against the IAQM triggers. Further assessments were completed where required and the report concludes the updated traffic is not considered to materially change the results and conclusions reported in Chapter 7 Air Quality Revision 1 of the ES [AS-076], nor are there any new significant impacts predicted. BC agrees with this conclusion and does not have any further comments.</p>	The Applicant welcomes BC's position that it agrees with the conclusions reported in Chapter 7 of the ES [AS-076] .	See point 3.4.3. Accounting for Covid-19 in Transport Modelling – Environmental Appraisal [REP7-079]	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.4.7	Air quality assessment – construction dust methodology, results and mitigation	BC agrees with the construction dust assessment methodology and findings, including mitigation included in the CoCP which follows best practice.	The Applicant considers that the construction dust methodology is robust and the findings, including mitigation which is included in the CoCP [REP6-0034] follows best practice. The construction dust assessment methodology is detailed in section 2 in Appendix 7.1 of Chapter 7 Air Quality of the ES [AS-076] . The construction dust results are detailed in section 2.2 in Appendix 7.3 of Chapter 7 Air Quality of the ES [REP4-013] . The construction dust mitigation included in the CoCP is detailed in section 8 of Chapter 4 The Proposed Development of the ES [REP5-013] . These have been discussed and agreed during Air Quality TWG meetings.	Air Quality TWG meetings from 2020 to 2022	Agreed
3.4.8	Air quality assessment modelling methodology	BC agrees with the modelling methodology including data sources, model set up including use of Atmospheric Dispersion Modelling System (ADMS), receptor locations selected, assessment years, emission inventory methodology, model parameters, spatial modelling aspects, and verification methodology.	The Applicant considers the modelling methodology including the data sources, model setup including use of the ADMS, modelled receptor locations, assessment years, emission inventory methodology, model parameters, spatial modelling aspects and verification methodology to be robust. The modelling methodology is detailed in section 3 in Appendix 7.1 of Chapter 7 Air Quality of the ES [AS-028] . The modelling methodology was discussed and agreed during Air Quality TWG meetings.	Air Quality TWG meetings from 2020 to 2022	Agreed
3.4.9	Air quality assessment significance criteria	BC agrees with the significance criteria used in the assessment.	The Applicant considers the significance criteria used in the assessment, as detailed in section 4 in Appendix 7.1 of Chapter 7 Air Quality of the ES [AS-028] , to be appropriate and robust. The significance criteria used in the assessment was discussed and agreed during Air Quality TWG meetings.	Air Quality TWG meetings from 2020 to 2022	Agreed
3.4.10	Air quality assessment – odour impact methodology	BC agrees with the odour impact methodology and results and requests additional information on odour report methodology.	The Applicant considers the odour impact methodology, as detailed in section 5 in Appendix 7.1 of Chapter 7 Air Quality of the ES [AS-028] , to be robust. The odour impact methodology was discussed and agreed during Air Quality TWG meetings.	BC's relevant representation submitted to PINS on 30 June	Agreed
3.4.10b	Air quality assessment results for construction and operational phases	BC agrees with the air quality assessment results for construction and operational phases. Modelling is now agreed, and air quality modelling reviewed. See point 3.4.3 and 3.4.6.	The Applicant welcomes BC's confirmation that the modelling is now agreed.	BC comments on SoCG on 24 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.4.11	Air quality good practice mitigation for operational phase	BC agrees with the good practice mitigation identified for the operational phase.	The Applicant considers the good practice mitigation identified for the operational phase, as detailed in Appendix 7.5 of Chapter 7 Air Quality of the ES [APP-065] , to be appropriate. The mitigation identified were discussed and agreed during Air Quality TWG meetings.	Air Quality TWG meetings from 2020 to 2022	Agreed
3.4.12	Air quality assessments including sensitive receptors	<p>BC request updated air quality assessment, on a quantitative basis, for Aylesbury and sensitive receptors along the A41, B488, B489. Also, confirmation of any additional locations on the Buckinghamshire transport network where changes in traffic flows significantly affect air quality.</p> <p>Modelling is now agreed, and air quality modelling reviewed as per matters 3.4.3 and 3.4.6.</p>	The Applicant welcomes BC's confirmation that the modelling is now agreed.	BC comments on the SoCG on 24 January 2024	Agreed
<p>3.5 Green Controlled Growth</p>					
3.5.1	Environmental Scrutiny Group membership (ESG)	<p>The Applicant proposes to use a “Noise Envelope” to control the expansion and as part of the GCG principle. This will impose a series of ‘thresholds’, ‘stops’ and ‘limits’ on the size of average summer daytime and night-time noise contours, based on an agreed Noise Envelope Design Group approach. The applicant claims that GCG provides a more robust and transparent approach to noise monitoring and enforcement than the current planning controls. This GCG framework will only be effective if the body managing it is truly independent and includes BC as a party to the ESG. This should therefore be established early with clear terms of reference set out.</p> <p>BC acknowledges that the Applicant updated the ToR for the ESG at Deadline 3 and has provided comment on this.</p> <p>BC does not agree with the rationale presented by the Applicant regarding the membership of the ESG. BC maintains that it should be included as an ESG member.</p>	<p>It is agreed that independent, effective scrutiny and review of the environmental effects of the expanding airport, combined with robust governance, is fundamental in making the GCG Framework [TR020001/APP/7.08] effective. Section 2.4 of the GCG Explanatory Note [TR020001/APP/7.07] sets out proposals for the ESG that is proposed to oversee the operation of GCG, with clear Terms of Reference provided at Appendix A of the GCG Framework [TR020001/APP/7.08]. Requirement 20 of the dDCO [REP5-003] sets out the required timing for the establishment of the ESG.</p> <p>It is considered important that the ESG includes representatives of local authorities to ensure that the views of those authorities that are impacted across the whole range of environmental topics within the scope of GCG are captured. However, it is important to strike an appropriate balance between the need to capture a diversity of views, the relevance of views to the impacts arising from expansion that may be experienced around the airport and the need for membership of ESG to be focused in support of its decision-making role and in the interests of managing the costs of administering GCG (both for the airport operator and for local authorities). It is on this basis that the membership of ESG reflects those local authorities that are forecast to experience environmental impacts at the level upon which the Limits and Thresholds included within GCG are based.</p> <p>Paragraphs 2.4.19 to 2.4.24 of the GCG Explanatory Note [TR020001/APP/7.07] set out the forecast distribution of</p>		Not agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
			<p>environmental impacts within the scope of GCG. Specifically for aircraft noise, the baseline and forecast daytime and night-time noise contours used to inform the GCG noise Limits / Noise Envelope are shown in Chapter 16 of the ES [REP9-011] as follows:</p> <ul style="list-style-type: none"> a. Baseline noise contours for day-time and night-time 2019 actuals are Figure 16.5 and 16.6 [AS-104] b. Phase 1 forecast noise contours for the Faster Growth scenario are Figure 16.91 and 16.92 [AS-117] c. Phase 2a forecast noise contours are Figure 16.41 and 16.42 [AS-109] d. Phase 2b forecast noise contours are Figure 16.65 and 16.66 [AS-113] <p>In all of the above figures, the 54 dBL_{Aeq,16h} (daytime) and 48 dBL_{Aeq,8h} (night-time) noise contours, used as the basis for the GCG Limits, do not extend into Buckinghamshire.</p> <p>On this basis, a role for BC on the ESG (or the Noise Technical Panel) is not considered proportionate or relevant.</p>		
3.5.2	Environmental Scrutiny Group – terms of reference for air quality	<p>The ESG remit and governance should be established early with clear terms of reference set out – this should include controls on air quality.</p> <p>BC does not agree with the rationale presented by the Applicant regarding the membership of the ESG. BC maintains that it should be included as an ESG member.</p>	<p>It is agreed that independent, effective scrutiny and review of the environmental effects of the expanding airport, combined with robust governance, is fundamental in making the GCG Framework [TR020001/APP/7.08] effective. Section 2.4 of the GCG Explanatory Note [TR020001/APP/7.07] sets out proposals for the ESG that is proposed to oversee the operation of GCG, with clear Terms of Reference provided at Appendix A of the GCG Framework [TR020001/APP/7.08]. Requirement 20 of the dDCO [REP5-003] sets out the required timing for the establishment of the ESG.</p> <p>It is considered important that the ESG includes representatives of local authorities to ensure that the views of those authorities that are impacted across the whole range of environmental topics within the scope of GCG are captured. However, it is important to strike an appropriate balance between the need to capture a diversity of views, the relevance of views to the impacts arising from expansion that may be experienced around the airport and the need for membership of ESG to be focused in support of its decision-making role and in the interests of managing the costs of administering GCG (both for the airport operator and for local authorities). It is on this basis that the membership of ESG reflects those local authorities that are forecast to experience</p>		Not agreed

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			<p>environmental impacts at the level upon which the Limits and Thresholds included within GCG are based.</p> <p>Paragraphs 2.4.19 to 2.4.24 of the GCG Explanatory Note [TR020001/APP/7.07] set out the forecast distribution of environmental impacts within the scope of GCG. Specifically for air quality, Figure 3.8 of the GCG Explanatory Note shows proposed air quality monitoring locations, which have been derived based on an assessment of those locations that are forecast to experience the greatest air quality impact as a result of expansion. These are located across the administrative areas of Luton, Central Bedfordshire and North Hertfordshire, concentrated on the area immediately around the airport with some additional locations in Hitchin and to the west of Luton / east of Dunstable.</p> <p>There are no locations in Buckinghamshire, and on this basis, it is not considered relevant or appropriate for BC to have a role on the ESG (or the Air Quality Technical Panel) on the basis of air quality impacts.</p>		
3.5.2b	Controlling air quality – community first fund	BC would welcome if the community first fund proposed also supported schemes to help improve air quality in local communities within Buckinghamshire, and accept that the approach to funding schemes that support decarbonisation will have beneficial impacts on air quality as a result.	During the first 5 year period of Community First the Applicant believes that this fund should reflect both national and local agendas of decarbonisation and levelling up. The 5 yearly reviews of the fund present the opportunity for the funding themes to change in the future.	BC comments on the SoCG on 24 January 2024	Agreed
3.5.3	Environmental Scrutiny Group conflicts of interest	The enforcement arrangements proposed by the Applicant would involve the ESG, which includes Luton Borough Council, recommending the undertaking of enforcement action by the relevant planning authority – also Luton Borough Council. It is observed that Luton Borough Council is also the airport owner, and it is unclear that this potential conflict of interest has been adequately addressed.	<p>At present, the airport is operating under a planning consent granted under the Town and Country Planning Act 1990 (TCPA), with planning reference 12/01400/FUL, as amended by 15/00950/VARCON and 21/00031/VARCON. Under the TCPA, only the local planning authority can bring enforcement action against the airport operator for breach of a condition in planning permission and there are limited requirements for transparency around the enforcement process.</p> <p>As set out in Section 2.4 of the GCG Explanatory Note [TR020001/APP/7.07] it is proposed that governance of GCG will be through a new body established through the DCO, the ESG. Section 2.4 sets out the proposed functions and membership of the ESG, enshrined through Terms of Reference included at Appendix A of the GCG Framework [TR020001/APP/7.08]. The ESG will be chaired independently and include independent experts.</p>		Not agreed

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			<p>The GCG process is designed to be self-enforcing in respect of mitigating environmental effects above Limits, with the process designed to require action by the airport operator to address any exceedances of the Limits. However, it is acknowledged that circumstances where the processes set out in the GCG Framework are not followed also need to be considered, and this is set out in Section 2.7 of the GCG Explanatory Note.</p> <p>In addition to the GCG process, and as outlined in Section 2.7, the statutory enforcement regime for DCOs is set out in the Planning Act 2008. This defines the ‘relevant planning authority’ for the purposes of enforcement action as the planning authority for the area in which the development is situated. This means the ‘relevant planning authority’ for most of the Proposed Development must be Luton Borough Council. However, Section 2.7 also sets out ways in which other local authorities could bring action under the Planning Act 2008.</p> <p>In summary therefore, the GGC proposals are considered to include independent and transparent oversight and scrutiny in response to concerns around the potential conflict of interest of LBC and represent a significant improvement from current processes.</p> <p>The Applicant would also draw BC’s attention to Paragraphs IR8.109 to IR8.114 of the P19 decision which state that LBC have “<i>followed an entirely orthodox, proportionate and lawful approach of responding to the breaches</i>” and that “<i>far from there being any basis for suggesting any improper or less than exacting process of scrutiny of the Airport, the whole history has been characterised by exactly the opposite</i>”.</p>		
3.5.4	Technical Panel membership	<p>BC wishes to have representation of suitably qualified and experienced technical officers on each of the four Technical Panels being proposed.</p> <p>BC views the Technical Panels (and ESG) as important forums in the ongoing monitoring and response to effects of the proposed scheme both in construction and operation, including those that may not currently be anticipated. Insofar as they have a role in defining mitigation that may be developed in the future, BC does not accept the Applicant’s rationale for excluding authorities that are not <i>currently</i> predicted to experience significant effects.</p>	<p>No significant adverse effects for each of the environmental topics within GCG have been identified within the boundary of BC. It is therefore the Applicant’s position that it is not relevant or appropriate for BC to have a role on the ESG or any of the Technical Panels.</p>		Not agreed

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3.5.5	ESG membership	<p>Although broadly in agreement with the role of the ESG, BC is further concerned that the ESG may not be fully independent. This is because (according to the GCG Explanatory Note [TR020001/APP/7.07]) the independent chair will initially be nominated by the airport operator, following consultation with the London Luton Airport operator. BC suggests the initial appointment be reviewed by all ESG members within the first year of operation and this continues on a rolling basis</p>	<p>Whilst the airport operator will identify the proposed chairperson of the ESG, ultimately the appointment of that Chairperson is decided by an independent third party (the Secretary of State).</p> <p>As set out in the ESG Terms of Reference included as Appendix A of the GCG Framework [TR020001/APP/7.07], it is proposed that the independent chairperson serves a three-year term. Any subsequent appointments of a chairperson would be subject to consultation with all members of the ESG.</p> <p>As set out in Section 2.3 of the GCG Framework [TR020001/APP/7.07], it is also proposed that the airport operator carries out a review of all GCG processes within 12 months of the end of the Transition Period. The findings of this review will be submitted to the ESG for comment. Subsequently, a similar review will be carried out every five years.</p>		Not agreed
<p>3.6 Employment, Training and Skills</p>					
3.6.1	Airport access – public transport accessibility from Buckinghamshire	<p>Whilst BC welcomes the activities outlined in the Employment and Training Strategy (ETS) [REP8-020] and supports a focus on some of the more deprived areas within Buckinghamshire, it is vital that accessibility to the airport is addressed. As noted above in relation to surface access transport, at present there are no realistic public transport connections between Buckinghamshire and Luton Airport which could be utilised by potential employees of the airport. Without significant improvements in accessibility the prospect of Buckinghamshire residents taking up employment at London Luton Airport are limited and will undermine the aims of the ETS.</p> <p>BC is of the opinion that the Applicant needs to provide a firm commitment to the delivery of specific public transport proposals to serve the residents of Buckinghamshire as an intrinsic part of ensuring accessibility of opportunity for all parts of the prospective workforce (in construction and operation) as well as delivering modal choice for passengers (addressed in Surface Access). Furthermore, for such proposals to be effective in promoting sustainable travel behaviours, they will be required from the outset of construction activities – this approach is considered the best</p>	<p>This is noted by the Applicant. The Framework Travel Plan [REP8-024], and future Travel Plans to be produced every 5-years in accordance with Requirement 30 of the dDCO [TR020001/APP/2.01] will seek to deliver improved public transport connectivity to the airport, including towards Buckinghamshire, which will support the aims of the ETS [REP8-020].</p> <p>The Applicant is committed to working with bus operators to support measures for further improving sustainable transport within the area.</p> <p>Improvements to the public transport network are not entirely within the gift of the Applicant and require discussion and negotiation with third parties. In the future, the airport operator will work closely with bus service operators through the AFT and development of future Travel Plans, which will set out measures to improve services in order to meet future mode share Targets.</p> <p>The Bus and Coach Study [REP8-032] outlines bus and coach services that may be prioritised for implementation in future travel plans, which includes the local X61 service between Aylesbury and London Luton Airport, as well as an express service between Aylesbury and London Luton</p>		Not agreed

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		<p>way to maximise the economic benefits (as well as supporting mental health and wellbeing).</p> <p>BC does not accept that the Framework Travel Plan is a sufficiently prescriptive means to ensure that the specific services sought by BC will be delivered. BC does not support the embedded reactive approach of actions being triggered by potential breaches of mode share Targets – BC seeks a pro-active approach of providing realistic accessible choices from the outset.</p>	<p>Airport. The ATF provides a forum for BC to be consulted on the contents of future travel plans, including the inclusion of the aforementioned services.</p> <p>The Applicant disagrees with BC's second request ("<i>Revise the approach to travel planning, as described in the Framework Travel Plan [REP8-024] such that it focuses on predictive provision, rather than reactive provision (i.e. providing interventions to deliver choice, rather than delaying interventions until modal targets are at risk of being missed).</i>") as such a 'predictive provision' would not align with the evidence-based monitoring approach which is described in the Framework Travel Plan. The Applicant's commitment to funding for sustainable transport through the STF demonstrates its clear intention to deliver transport improvements to benefit sustainable surface access to and from the airport. More information can be seen in the response to matter 3.2.5.</p>		
3.6.2	Local Economic Development Working Group membership	<p>The ETS [REP8-020] helpfully covers both the construction and operation phases. It references engagement with local government and the creation of a Local Economic Development Working Group and BC welcomes the invitation to join this and confirms it has suitable representation to attend.</p> <p>BC was previously concerned that there was no certainty on how the ETS and in turn the Local Economic Development Working Group can be secured, which was been raised in Deadline 3 and Deadline 4 submissions by BC.</p> <p>BC is now content that the Mitigation Route Map now confirms that the ETS in its entirety is secured by the S106.</p>	<p>This is noted by the Applicant – BC are welcome to join the Local Economic Development Working Group when this is set up.</p> <p>It is envisaged that the ETS [REP8-020] would be secured through an S106 agreement as outlined in the Applicant's responses to Deadline 4.</p> <p>It is noted that BC will not be a party to the S106 agreement however, alternative agreements will be sought with BC to ensure that they can participate in the Local Economic Development Working Group and the Applicant will continue to discuss this with BC.</p> <p>The Applicant has updated the Mitigation Route Map at Deadline 10, which now reflects the position where the full ETS is secured by the S106.</p>	Confirmed via email on 5 February 2024	Agreed
3.6.3	Local employment benefits	<p>The ETS [REP8-020] includes an initiative to "Encourage local employment and local businesses (Construction and Operation)" which talks of continuing to prioritise utilising local businesses within their supply chain. There is scope to include more information around this and other ideas that could be considered, e.g. 'meet the buyer' type events, training/information sessions for interested businesses covering how they apply, requirements etc.</p>	<p>This is noted by the Applicant, consideration will be given to adding further detail where appropriate.</p> <p>The Applicant has confirmed that BC would be an active member of the Local Economic Development Working Group. The proposed ETS [REP8-020] sets out the proposed ETS study area, which includes BC. The Proposed ETS [APP-215] does set out a series of firm initiatives in relation to supply chain preparedness and support to local procurement through all phases of the Proposed Scheme. Details on how initiatives are delivered in specific areas and specific</p>	Agreed via email 21 Dec 2023	Agreed

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			commitments will be established once DCO consent has been granted.		
3.6.4	Inclusion of priority wards within the ETS	BC is seeking the inclusion of the ten priority wards listed in the Opportunity Bucks programme within the ETS [REP8-020] , with targeted activities to residents in Aylesbury and Chesham Opportunity Bucks wards; and BC wishes to see specific commitments in relation to supply chain preparedness and supporting local procurement throughout the project lifecycle.	It is not appropriate to name priority wards within Buckinghamshire within the ETS as this approach has not been adopted for the other local authorities also covered by the ETS. Buckinghamshire Council is welcome to put forward the priority wards for consideration within the Local Economic Development Working Group once this has been established.		Not agreed
3.6.5	Maximising beneficial economic impacts	BC wishes to partner with appropriate organisations, such as Bucks Business First, to work with the Applicant on supply chain readiness and accessibility of local businesses to suitable supply chain opportunities.	<p>As outlined in the ETS [REP8-020] during the construction phase, the existing procurement process will support the development of standard procurement materials, easy-to-understand requirements, and provide support to ensure procurement opportunities are inclusive and accessible to various types and sizes of businesses.</p> <p>The proposed ETS [REP8-020] sets out initiatives to work with local organisations including Initiative 1.1. The details of partners have not yet been confirmed and will be confirmed and defined once DCO consent is granted. The Applicant acknowledges the request to include Bucks First in engagement and will endeavour to include this organisation in engagement once partners are defined and identified should DCO consent be granted.</p>	Agreed via email 21 Dec 2023	Agreed
3.7 Economics and Employment					
3.7.1	Inbound tourism benefits for Buckinghamshire hire	BC welcomes the positive impact expansion will have on inbound tourism and the visitor economy. BC would welcome the opportunity to explore ways to maximise the positive impacts across the county, by promoting Buckinghamshire to those arriving at London Luton Airport, to increase visits and overnight stays.	<p>This is noted by the Applicant and will be discussed with BC in future engagement following DCO consent should it be granted.</p> <p>The proposed ETS [REP8-020] sets out initiatives to work with local organisations including Initiative 1.1. The details of partners have not yet been confirmed and will be confirmed and defined should DCO consent be granted. The Applicant acknowledges the request to include Bucks First in engagement and will endeavour to include this organisation in engagement once partners are defined and identified once DCO consent is granted.</p>	Confirmed via email on 21 December 2023	Agreed
3.7.2	Jobs and Gross Domestic	BC initially reserved judgement on the number of jobs and Gross Domestic Product forecast to be created until it had	The full details of the estimation of employment and GDP impacts are given in Appendix 11.1 to the ES [APP-079] .	Applicant's comments on Local Impact	Agreed

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	Product forecast	<p>opportunity to interrogate the underpinning assumptions in more detail.</p> <p>BC confirms it trusts the statistics as presented and did not intend to challenge them.</p>	The Applicant welcomes BC's confirmation that it trusts the statistics as presented.	Reports (BC) [REP2A-004]	
3.7.3	Community First Fund	<p>Additional clarity to be provided by the Applicant relating to the Community First fund, including its overall effectiveness. BC notes that whilst information has been provided by the Applicant on the aims of the Community First fund, its coverage, administration and review, further detail would be beneficial. In particular, further clarity on how the 60/40 split between Luton and other areas has been determined and how the effectiveness of the fund will be defined, measured and reported upon.</p> <p>BC now accepts the Applicant's position on this matter.</p>	<p>The level of funding for Community First was a policy decision, and the split between Luton and neighbouring authorities were policy decisions taken by the Board of Directors of the Applicant.</p> <p>The intended use of Community First funds is identified as tackling areas of social need, and for local decarbonisation projects in line with local and national policy, it is not intended that Community First funds should be used for other purposes.</p> <p>The Community First fund will require the fund administrator to produce an Annual Report on how the funds have been used.</p> <p>The Applicant welcomes BC's confirmation that it accepts the Applicant's position on this matter.</p>	Agreement confirmed via BC comments on SoCG on 24 January 2024	Agreed
3.8 Landscape and Visual					
3.8.1	Tranquillity impacts on the Chilterns AONB	<p>BC notes the Applicant's conclusions in respect of landscape and visual impacts, particularly the deterioration to the aesthetic and perceptual characteristics of the Chilterns AONB, including impacts on certain views, as well as its tranquillity.</p> <p>It is agreed between BC and the Applicant that the proposals will give rise to significant adverse landscape character effects including impacts on tranquillity within the areas of the Chilterns AONB in Buckinghamshire that lie beneath the identified 7000ft noise contours (as identified in Chapter 14 Landscape and Visual Figures 14.14 – 14.17 [AS-102]).</p> <p>BC accept that there are no mitigation measures available to address the significant adverse effects on the tranquillity of the AONB.</p>	<p>A draft report assessing the Special Qualities of the AONB, including tranquillity, was submitted to Natural England and other stakeholders for review on 23 October 2023. A meeting with NE and other stakeholders was held on 30 October 2023 to discuss the draft assessment.</p> <p>Following the issue of the draft assessment and the meeting, the Examining Authority (ExA) held a further Issue Specific Hearing (ISH8) on environmental matters on 29 November 2023. During ISH8 the Applicant provided the ExA with an update on the current status of the Assessment, details of the consultation held, a summary of feedback provided, the current scope of the Assessment and timescales for submission. A draft version of the Assessment was submitted to the ExA at Deadline 6 [REP6-075] with a final version to submitted to the ExA at Deadline 7 [REP7-046].</p> <p>To address the ambiguity issue raised, the Study Area extends 5km from the perimeter of the Main Application Site. It also includes the full extent of any character areas that may be affected within that 5km envelope and additional land within the AONB where aircraft would be below 7,000ft to</p>	Agreed via email on 11 January 2023	Agreed

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			<p>consider effects on tranquillity. Figures 14.14-14.17 of Chapter 14 Landscape and Visual of the ES [AS-079] illustrate the number of Overflights per day as well as the extent of the AONB (including Buckinghamshire) potentially affected in relation to tranquillity, i.e. the extended study area as set out above.</p> <p>It is agreed that the proposals will give rise to significant adverse landscape character effects including impacts on tranquillity within the areas of the Chilterns AONB in Buckinghamshire that lie beneath the identified 7000ft noise contours (as identified in Chapter 14 Landscape and Visual Figures 14.14 – 14.17)</p> <p>Chapter 14 Landscape and Visual of the ES [AS-079] concludes no physical impact on land within the AONB (within Buckinghamshire). The aesthetic or perceptual qualities of the AONB, i.e. tranquillity (one of the AONB’s Special Qualities) within the identified part of the AONB within Buckinghamshire will, however, be affected. From assessment Phase 2b onwards, it concludes that there will be a noticeable deterioration to the aesthetic and perceptual characteristics of the AONB in this part of Buckinghamshire, the effect on this receptor is assessed to be moderate adverse which is significant.</p> <p>Figure 14.8 Assessment Viewpoint Locations identifies the Viewpoints as well as the Zone of Theoretical Visibility (ZTV). View 45 (Ivinghoe Beacon) is identified as view 45 on an inset plan (15km away from the order limits and not within the ZTV). Ivinghoe Beacon was added in as a viewpoint following a direct request in the 2018 Non-Statutory Consultation and is recorded in the Non-Statutory Consultation Feedback Report [APP-174]. Chapter 14 Landscape and Visual of the ES [AS-079] concludes that the Airport is not visible from this location and anticipates only that there may be more aircraft visible in the sky.</p> <p>In response to clarification on the impact to Dark Skies raised on 2 August 2023 - The LVIA references A Light Obtrusion Assessment and is provided as Appendix 5.2 of the ES [APP-052 and APP-053]. The LVIA cannot address visibility of Aircraft Lighting.</p> <p>Section 14.4.6 of Chapter 14 Landscape and Visual of the ES [AS-079] confirms that lighting and night time effects within the LVIA were discussed and agreed with the LVIA Working Group (the working group was created and met four times pre-2019 consultation and contained relevant officers</p>		

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			<p>from the following Host Authorities; LBC, NHDC, HCC and CBC. BC weren't part of this group as they are not a Host Authority).</p> <p>There are no landscape measures available to mitigate the adverse effects on the perceptual and aesthetic characteristics of the AONB in this part of Buckinghamshire.</p>		
3.8.2	Glint and glare impacts on the Chilterns AONB	BC has reviewed the Glint and Glare Assessment and is in agreement with the findings of the Applicant.	<p>A Glint and Glare Assessment [REP4-040] was submitted on 9 August 2023.</p> <p>The Applicant welcomes BC's position that it is in agreement with the findings of the Glint and Glare assessment.</p>	Glint and Glare Assessment [REP4-040]	Agreed
3.8.3	Construction landscape and visual impacts	<p>BC request that construction landscape and visual impacts should be scoped into the ES (particularly in the AONB). BC is seeking additional clarity on the controls that will be incorporated within the CTMP as it is developed. Ideally this will include controls preventing mass haul and lorry routes and construction compounds or other sites supporting construction (e.g. spoil disposal) being sited within Buckinghamshire.</p> <p>BC has set out requirements in relation to specific controls sought in relation to the CTMP within the matters associated with Surface Access. Resultant actions from this will then be dependent upon the way in which the Applicant chooses to address points made by BC in relation to Surface Access at 3.2.1d, 3.2.2, 3.2.3, 3.2.10c and 3.2.10d.</p> <p>BC considers that these matters have now been addressed through the inclusion of the Council as a consultee to the CTMP and CWTP as part of the discharge of requirements 14 and 15 respectively.</p>	<p>Construction landscape and visual impacts are scoped into the ES. Section 14.9 and Section 14.11 of Chapter 14 of the ES [AS-079] assess the landscape and visual effects, including effects on the AONB. The Affected Road Network (ARN) is determined by the strategic model and includes the roads from which likely significant effects may potentially occur and is therefore the study area for traffic related environmental effects. The ARN is shown in Figure 7.1 [AS-098] and Figure 16.1 [AS-103] of the ES for air quality and noise respectively. Receptors within the ARN determined study areas are included in the assessments and effects assessed and reported. Roads and receptors outside of the ARN, which includes most of Buckinghamshire and the rural roads mentioned, are not likely to experience significant environmental effects and are therefore not assessed. This approach is widely accepted, included in relevant guidance, and best practice for assessment of environmental effects from highway related impacts.</p> <p>The Outline CTMP [REP6-009] provides the principles to and measures to be developed in the full CTMP by the appointed contractor which, as secured by Requirement 13 of the dDCO [TR020001/APP/2.01] must be substantially in accordance with the Outline CTMP. As described in Section 4.2 of the Outline CTMP "A principal consideration when identifying designated routes will be the minimisation of travel along any road that does not form part of the Primary Route Network (PRN)" and "it is envisaged the great majority of construction vehicles will approach the Site using the M1 and the A1081 (New Airport Way)".</p>	Agreed via email on 8 February 2024	Agreed

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			<p>Given that the areas of concern raised are the west of the M1 very little construction traffic is expected on that part of the network. There are no construction activities or compounds proposed in Buckinghamshire.</p> <p>The Applicant's response to BC's point made at 3.2.1d, 3.2.2, 3.2.3, 3.2.10c and 3.2.10d can be found above.</p> <p>The version of the dDCO, submitted at Deadline 9 [REP9-003], was updated to explicitly state that no authorised development may commence until a CTMP and CWTP has been submitted to and approved in writing by the relevant planning authority, following consultation with Buckinghamshire Council (requirements 14 and 15).</p>		
<p>3.9 Draft DCO</p>					
3.9.1	Draft DCO requirements	BC welcomes their inclusion as a discretionary consultee, alongside other key stakeholders, and considers that the amendments made address BC's previous concerns regarding adequate consultation relating to the discharge of DCO requirements.	The Applicant welcomes BC's confirmation that its inclusion as a discretionary consultee addresses its previous concerns.	BC review of SoCG on 6 December 2023	Agreed
3.9.2	ESG membership	<p>Given the remit of the ESG, particularly in relation to any approved increase in the Night quota cap (requirement/paragraph 27 of Part 4 of Schedule 2 of the dDCO) and when considering the current uncertainty regarding the submitted traffic data, BC would request its inclusion in the ESG moving forward in order to allow it to represent its communities' best interests effectively.</p> <p>Whilst BC acknowledges the Applicant's inclusion of a requirement to add local authorities to the Noise Technical Panel, where the shape of the relevant noise contour changes in the future, the Council maintains its position that the analysis of traffic survey data at its key junctions against baseline traffic flows may present implications for further traffic, noise, air quality and health impact effects. These potential impacts support BC's case for inclusion in the ESG moving forward.</p>	<p>The Applicant notes that paragraph 27 referred to by BC in its comments has been significantly amended since the time of the comment. The mechanism for securing the night movement cap has now been "carried across" to the DCO to a new Air Noise Management Plan adapted from the P19 planning consent and paragraph 27 of Schedule 2 now secures compliance with this. Nevertheless, the Applicant has responded here in relation to BC's comments on ESG membership.</p> <p>It is considered important that the ESG includes representatives of local authorities to ensure that the views of those authorities that are impacted across the whole range of environmental topics within the scope of GCG are captured. However, it is important to strike an appropriate balance between the need to capture a diversity of views, the relevance of views to the impacts arising from expansion that may be experienced around the airport and the need for membership of ESG to be focused in support of its decision-making role and in the interests of managing the costs of administering GCG (both for the airport operator and for local authorities). It is on this basis that the membership of ESG reflects those local authorities that are forecast to experience</p>		Not agreed

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			<p>environmental impacts at the level upon which the Limits and Thresholds included within GCG are based.</p> <p>Paragraphs 2.4.21 to 2.4.27 of the GCG Explanatory Note [TR020001/APP/7.07] set out the forecast distribution of environmental impacts within the scope of GCG. Specifically for aircraft noise, the baseline and forecast daytime and night-time noise contours used to inform the GCG noise Limits are shown in Chapter 16 of the ES [REP9-011] as follows:</p> <ul style="list-style-type: none"> • Baseline noise contours for day-time and night-time 2019 actuals are Figure 16.5 and 16.6 [AS-098] • Phase 1 forecast noise contours for the Faster Growth scenario are Figure 16.91 and 16.92 [AS-075] • Phase 2a forecast noise contours are Figure 16.41 and 16.42 [AS-087] • Phase 2b forecast noise contours are Figure 16.65 and 16.66 [AS-094] <p>In all of the above figures, the 54 dBL_{Aeq,16h} (daytime) and 48 dBL_{Aeq,8h} (night-time) noise contours, used as the basis for the GCG Limits, do not extend into Buckinghamshire.</p> <p>Similarly, Appendix A to the Transport Assessment [APP-200] shows the locations of proposed off-site highway mitigation measures on the basis that these are the locations where transport impacts are potentially significant enough to require mitigation. Again, these are focused on Luton and North Hertfordshire, and include works to the Strategic Road Network, which is owned and operated by National Highways. There are no such locations in Buckinghamshire.</p> <p>On this basis, a role for BC on the ESG is not considered proportionate or relevant.</p>		
3.9.3	Schedule 2, Part 4	<p>Paragraphs 26 and 27, of Part 4, of Schedule 2 of the dDCO make provision for the relevant planning authority to approve variations to the passenger cap for the authorised development and the night quota cap, respectively. As currently drafted, BC is of the opinion that these requirements do not adequately deal with the phased approach to increasing passenger numbers to the cap. This places the Requirements at odds with the GCGF proposed by the Applicant and BC wishes to see this amended to address the inconsistency.</p>	<p>Should the DCO be granted, the passenger cap for the airport would increase to 32 million passengers per annum. This cap is set by paragraph 26 of Schedule 2. Paragraph 26 makes no provision for that passenger cap to be varied by the LPA. Growth up to that passenger cap could take place provided that the limits set by the Green Controlled Growth framework are being met. Hence the two provisions are entirely aligned in this respect, and not at odds as suggested. Phasing of physical growth is dealt with in the dDCO submitted at Deadline 10 by paragraph 5 of Schedule 2.</p> <p>As foreshadowed in the Applicant’s submissions at Deadline 5, the mechanism for securing the night movement cap (which was previously paragraph 26) was “carried across” to</p>	Agreed via email on 8 February 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>BC is now content that requirement 26 contains sufficient controls to satisfy its concerns regarding potential changes to the passenger cap.</p> <p>BC is satisfied that its position in relation to the night quota cap has been satisfied through the measures to be secured through the Air Noise Management Plan.</p>	<p>the DCO to a new Air Noise Management Plan, adapted from the P19 planning consent.</p> <p>At Deadline 9, the Applicant submitted the Air Noise Management Plan [REP9-047], which duly includes details on the night quota cap. At Deadline 7, Schedule 2 of the dDCO [TR020001/APP/2.01] was updated to secure compliance with this document.</p> <p>The dDCO as submitted for Deadline 8 [TR020001/APP/2.01] retains two requirements relating to this matter. Requirement 26 deals with the passenger cap for the authorised development and provides that the undertaker may operate under this Order the airport so that it permits up to 32 million passengers per annum. There is no option for the relevant planning authority to permit a variation to this cap. Requirement 27 secures compliance with the Air Noise Management Plan [REP9-047] which includes details on the night quota cap. The Air Noise Management Plan is capable of future amendment but only in accordance with the process set out in paragraph 2 of Schedule 2. These provisions remain in the dDCO submitted at Deadline 10.</p>		
3.9.4	Draft DCO requirements	<p>BC queried whether requirements/paragraphs 31, 32 and 33 of Part 4 of Schedule 2 of the dDCO should require consultation with the ESG as a minimum due to the broader, regional implications of the associated plans.</p> <p>BC no longer consider this as an area of disagreement and therefore agree with the Applicant's position on the matter.</p>	<p>The Applicant understands that the requirements referred to by BC are now requirements 33, 34 and 35 in the dDCO submitted for Deadline 10 [TR020001/APP/2.01].</p> <p>Under the terms of the dDCO, the ESG may not have been constituted prior to the undertaker seeking to discharge requirements 33, 34 and 35 of Part 4 of Schedule 2, so could not be consulted with. Furthermore, even when constituted the ESG only meets annually (within 28 days of receipt of the annual monitoring report) and so it would not be reasonable or practicable to have to await its sitting before these requirements could be progressed / discharged</p> <p>In any event:</p> <ul style="list-style-type: none"> As regards Requirements 33 and 34, the Applicant considers that the relevant planning authority is competent to discharge these matters without consulting with the ESG. The ESG will ultimately monitor air quality and greenhouse gas emissions in accordance with its remit, and should further remedial action be necessary (i.e. additional to the operational air quality and greenhouse gas action plans), this will emerge through the GCG process with the ESG's oversight. 	BC comments on SoCG on 24 January 2024	Agreed

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			<ul style="list-style-type: none"> Requirement 35 does not pertain to the scope and remit of the ESG, and so the issue of consultation with the ESG is not considered to be relevant in this context. <p>The Applicant welcomes BC's confirmation that this is no longer an area of disagreement.</p>		
3.9.5	ESG right of appeal to the Secretary of State (SoS)	BC previously recommended that, in addition to BC being admitted to the ESG, each of the (then) five Local Authorities sitting within the ESG are additionally given a right of appeal to the SoS – BC has given further consideration to this matter and is in agreement with the Applicant's latest position.	<p>It is not clear why it would be necessary for the ESG to have a right of appeal to the SoS, as the ESG is the only decision-making body in the GCG process. Section 2.7 of the Green Controlled Growth Explanatory Note [TR020001/APP/7.07] sets out the possible enforcement approaches where the GCG Framework has not been complied with. This includes the option for any local authority to take enforcement action pursuant to Section 161 of the Planning Act 2008, including those where land under the application for development consent is not within their jurisdiction.</p> <p>The Applicant welcomes BC's confirmation that it is in agreement with the Applicant's position.</p>	BC review of SoCG on 6 December 2023	Agreed
3.9.6	Schedule 2 Part 3	<p>BC previously recommended that the dDCO Schedule 2 Part 3, paragraph 24 should set out the maximum timescales for delivery of any actions.</p> <p>Following further consideration of this matter BC considers that paragraph 24 and the requirement for the undertaker to implement a relevant mitigation plan, as approved, should provide adequate control over the implementation of any actions.</p>	<p>The Applicant does not consider it appropriate for paragraph 24 to set out maximum timescales for taking action – this is a matter to be considered by the ESG in reaching a decision under this paragraph and it is not considered appropriate to fetter the ESGs discretion in this respect. The drafting of paragraph 24 allows the ESG to refuse the Mitigation Plan if they are not satisfied that it will address the exceedance of the Limit as soon as is reasonably practicable.</p> <p>The Applicant welcomes BC's confirmation that it no longer disagrees with the provision referred to.</p>	BC review of SoCG on 6 December 2023	Agreed
3.9.7	Monitoring findings of the GCG Framework and Framework Travel Plan	<p>A list should be included in the dDCO to indicate which bodies are responsible for monitoring the findings of the GCG Framework and the Framework Travel Plan, including the data collection and authorisation of changes to in order to address any failures to meet targets.</p> <p>BC no longer consider this as an area of disagreement and therefore agree with the Applicant's position on the matter.</p>	<p>Proposals for monitoring surface access performance under the GCG Framework are set out in GCG Framework Appendix F – Surface Access Monitoring Plan [REP7-032]. Governance arrangements for the Framework Travel Plan [REP8-024] are set out in Section 7.4 of that document, compliance with which is secured through Requirement 31 of the DCO. The requirements within the Framework Travel Plan do not therefore need to be transposed in the DCO itself.</p> <p>The Applicant welcomes BC's confirmation that it is in agreement with the Applicant's position.</p>	BC comments on the SoCG on 24 January 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
3.9.8	Economic benefits	<p>How economic benefits associated with the expansion will be secured should be reflected in the dDCO.</p> <p>BC have reviewed the draft s106 and the updated Mitigation Route Map with the ETS now adequately secured.</p>	<p>The Applicant notes the comments made. Whilst the Applicant's case is that the development for which consent is sought would generate significant economic benefits, these cannot nor should not be "secured" in some way by the DCO. It would be highly novel and unusual to attempt to do so. The Applicant has developed an ETS [REP8-020] which is currently proposed to be secured by a s106 agreement. The Applicant has shared the s106 agreement with BC.</p>	Agreed via email on 8 February 2024	Agreed
3.9.9	Schedule 2, Part 2, 8	<p>Following further consideration, BC accepts the Applicant's stance on this matter. BC's initial position can be seen below:</p> <p>Schedule 2, Part 2, 8 (2) - BC agrees that these plans need to be developed pre-commencement, but there should also be reference in the requirement to them being 'implemented' pre-commencement. In the context of the health and community assessment, the specific rationale here is 8 (2) (e) Community Engagement Plan, which BC would expect to include pre-commencement activities, for example, to ensure that affected communities are fully aware of the impacts and potential effects that they will experience and able to feel supported and heard, should any adverse effects arise once construction is underway.</p>	<p>The Applicant notes that this is now at paragraph 7 in the latest version of the dDCO [TR020001/APP/2.01].</p> <p>The Applicant considers that the control plans secured by paragraph 8 of Schedule 2 of the dDCO already achieve the ends referred to by BC.</p> <p>Paragraph 8 requires the Applicant to comply with the CoCP, including the various plans secured under it which must be approved by the relevant planning authority prior to works commencing.</p> <p>Section 4 of the CoCP requires that the Community Engagement Plan must include procedures to communicate with affected communities prior to the commencement of the relevant construction operations about how the effects of construction activities will be managed and, where appropriate, mitigated (paragraph 4.1.2(b)).</p> <p>Furthermore, paragraph 4.2.2 continues: "<i>Wherever possible, the lead contractor will notify occupiers of nearby or affected properties, businesses, adjacent or affected parish councils, and other elected representatives at least four weeks in advance, and again at least two weeks in advance, of the nature and anticipated duration of planned construction works that may affect them, including both principal and ancillary works</i>".</p> <p>The Applicant welcomes BC's confirmation that it is in agreement with the Applicant's position.</p>	BC review of SoCG on 6 December 2023	Agreed
3.9.10	Schedule 2, Part 5	<p>Whilst BC recognises that there are prescribed consultees stipulated in relevant requirements they would expect paragraph 35, of Part 5, of Schedule 2 of the dDCO to make provision for a minimum consultation period for applications made under requirements, akin to the 21 days defined in Paragraph 18, of Part 3, of Schedule 2 of the dDCO. The Applicant should also ensure that an appropriate mechanism is included within the dDCO for extending this consultation</p>	<p>The Applicant has not prescribed a specific period for consultation on a requirement, but has instead specified a determination period of 13 weeks for any application under paragraph 35 of Schedule 2 for detailed design approval of Works Nos. 3b(01), 3b(02), 3f and 4a, and 8 weeks for all other applications under Part 1, Part 2 or Part 4 of Schedule 2. It is considered that this allows for an appropriate period of consultation, to be determined by the discharging authority</p>		Not agreed

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		period should further issues arise or if insufficient information is made available to the consultee.	<p>depending on the subject matter. Furthermore in this context it should also be noted that:</p> <ul style="list-style-type: none"> - the period of 8 weeks can be extended by agreement with the undertaker; and - provision has been made to allow the undertaker to carry out the necessary consultation prior to submission of the application to the discharging authority. <p>Due to drafting amendments at Deadlines 8, 9 and 10, the paragraph referred to by BC is now paragraph 37, not 35.</p>		
3.10 Airspace change					
3.10.1	Airspace change	<p>BC previously advised that change is needed to allocate more airspace for safe departures and arrivals across the southeast airports to allow expansion. It is acknowledged that this will be subject to a separate regulatory process to the DCO, however, there is a degree of uncertainty over how these changes will impact residents. Change to airspace and in combination effects with Heathrow should be reflected in the DCO.</p> <p>BC now accepts the Applicant's position – it is agreed that there will be insufficient information regarding airspace change at the strategic scale, delivered through the separate regulatory process, to enable this aspect of the CEA to be delivered in a meaningful manner.</p>	<p>A sensitivity test is presented in Chapter 16 of the ES [REP9-011] to assess the potential implications of airspace change at Luton based on the options consulted on by the airport operator. As there is no information currently regarding potential options for airspace change associated with London Heathrow Airport, it is not possible at this stage to consider in combination effects.</p> <p>The Applicant welcomes BC's confirmation that it agreed with the Applicant's position.</p>	BC review of SoCG on 19 October 2023	Agreed
3.10.2	Consideration of airspace change in the cumulative effects assessment	<p>BC asserts that the Applicant needs to consider the inter-project cumulative interactions between the levels of growth that will be necessitated by the Proposed Development in achieving the growth in mppa against a trend of growth associated with the existing flightpaths for the other south east airports. The focus should be on receptors that already experience intersection of flight paths from Luton plus at least one other airport.</p> <p>This will be possible on a qualitative basis since the existing receptors subject to impacts from intersecting flightpaths are known.</p> <p>Furthermore, BC is of the opinion that the Applicant should consider ways in which the likely exacerbation of in-combination noise and disturbance cumulative effects may be monitored and, if necessary, mitigated.</p>	<p>Changes to airspace and flightpaths and their cumulative effects are outside the scope of the Proposed Development. Any changes to future flight paths are the subject of a future airspace change process being sponsored by the UK Government and will be subject to a separate assessment and consultation exercise by the airport operator in accordance with CAA procedure (CAP1616), in due course. A note explaining the relationship between the two processes was submitted at Deadline 1 [REP1-028].</p>		Not agreed

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		This aspect of inter-project cumulative effects should be included in the scope of the ES.			
<p>3.11 Health and Community</p>					
3.11.1	Traffic related health and community impacts	<p>Subsequent to receipt of specific data from the traffic modelling supplied by the Applicant at D6, BC traffic officers have undertaken analysis of the applicability of the traffic modelling to the areas of concern within the Buckinghamshire network. This is now accepted by BC as valid, without a requirement for remodelling.</p> <p>BC's principal area of concern is the indirect health effects of traffic impacts (as reflected in the change to Table 13.6 made by the Applicant in [REP7-009/010]. The BC traffic officer analysis of the early morning traffic flow data supplied by the Applicant for the B488/B489 has informed the response. It is acknowledged that in numerical terms, flow levels along this route fall below thresholds of significance for a number of technical assessment areas that inform the health assessment. However, in percentage increase terms, BC maintains that there are likely to be members of the population in the villages of Pitstone, Marsworth and Ivinghoe who will increasingly experience adverse health effects as a result of the changes (increases) in the traffic flows.</p> <p>In the early hours, this is expected to manifest mainly as sleep disturbance, but throughout the day there are concerns relating to modal conflict and general adverse impacts on the overall amenity and key characteristics of these villages. These are detailed in REP6-087.</p> <p>BC is seeking the Applicant's written acknowledgement of these potential health effects within the suite of documentation (e.g. within the ES, or within material supporting mitigation approaches, or an alternative approach that links to access to suitable mitigation routes). BC is also seeking a commitment from the Applicant that there is a clear route to ensure that adverse health effects arising from traffic impacts are to be effectively addressed for the affected receptor(s).</p> <p>BC is seeking the following:</p> <ul style="list-style-type: none"> - Qualitative written health assessment of the data that has been generated by the Applicant, to demonstrate that the potential health effects of traffic impacts arising from the Scheme are acknowledged and have been carefully 	<p>The Applicant understands there is the potential for some redistribution of vehicular trips around the local highway network as a result of the Proposed Development. However, any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203, AS-123, APP-205, APP-206] and in matter 3.2.1d (re-prioritisation).</p> <p>The effects of traffic noise are assessed in Chapter 16 of the ES [REP9-011] and takes into account the effects of night-time noise on health and quality of life including sleep disturbance. The assessment has been undertaken with reference to the 'Noise exposure hierarchy table' in PPGN (Table 16.29), which includes consideration of effects on sleep disturbance and quality of life. The ES does not identify any significant noise effects in Buckinghamshire.</p> <p>As explained in the Applicant's response to Written Question NO2.12 [REP7-056], traffic noise effects in Buckinghamshire have been scoped out according to the agreed methodology, which is informed by WHO studies into the health effects of traffic noise and takes account of early morning peaks in traffic volumes.</p> <p>Significant health effects are assessed at population level (see paragraphs 13.5.2 and 13.5.4, Chapter 13 of the ES [REP7-009]. Changes to health determinants (such as noise) that do not have the potential to lead to significant population health effects are scoped out of the health assessment. The Applicant notes that a judgement of 'no likely significant effect' does not equate to 'no change'. Sensitivities and attitudes to noise vary widely and small changes may be perceived as adverse by some individuals; it does not follow that all perceptible changes will lead to significant health effects. The Applicant does not propose to undertake an assessment of issues that have been scoped out according to the agreed methodology.</p> <p>The Applicant does not propose to provide specific mitigation for non-significant effects that have been scoped out of the assessment. The Applicant notes that text at 13.13.3 of ES Chapter 13, referred to by BC, concerns monitoring of</p>		Not agreed

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		<p>analysed. This should set out the issue, the underlying data, the percentage increase in flows over existing, potential health effects arising and routes to mitigation.</p> <ul style="list-style-type: none"> - For BC, this must lead to a commitment to mitigation for affected receptor(s). It is suggested that an augmentation of text at 13.13.3 to express what 'initiatives to address concerns identified' will be, in REP7-009/010 may be a location to address the latter part, although the Applicant may identify alternative locations/means. - Commitment by the Applicant to undertake works to re-prioritise the B488/B489 junction, working with relevant BC officers on the approach. <p>BC is aware of the Applicant's concerns regarding setting a precedent, and appreciates a creative approach may be required reflecting that this is a locationally specific issue; and also that there could be consequences elsewhere (e.g. in Tring), following reprioritisation of B488/B489.</p>	<p>complaints and feedback during construction whereas this matter relates to the effects of operational surface access. The airport operator employs a Community and Corporate Social Responsibility (CSR) manager and is committed to continued community engagement. The London Luton Airport Consultative Committee (LLACC) meets four times year and its agenda includes Environmental Management & Surface Access issues.</p>		
3.11.2	Analysis of health implications	<p>Subsequent to receipt of specific data from the traffic modelling supplied by the Applicant at D6, BC traffic officers have undertaken analysis of the applicability of the traffic modelling to the areas of concern within the Buckinghamshire network. This is now accepted by BC as valid, without a requirement for remodelling. As there is no request from BC for remodelling, there is no downstream request for re-modelling of air quality and noise.</p> <p>Notwithstanding the above, BC maintains the position, as expressed through ISH and written in REP6-087 (para. 36) that health assessment should be based on an analysis of the totality of discernible impacts rather than relying on thresholds of significance from contributing assessments.</p> <p>On this basis, BC maintains that the Applicant should expand the write up of health matters to acknowledge this. Further, there should be statements included within appropriate documents (e.g. an update to REP7-009/010) to explain that there is an appreciation that changes of noise and air quality (for example and from both surface and air traffic changes) may be discernible below significance thresholds used for reporting; that the Applicant acknowledges individual responses, perceptions and attitudes differ and will result in differences in effects accordingly; and that the Applicant has included mitigation approaches that are intended to support health should individuals experience significant adverse health effects. As noted above, expansion of detail associated</p>	<p>Air quality and noise effects are assessed in Chapter 16 [REP9-011] and Chapter 7 [AS-0786] of the ES and no significant effects are identified. There is a wide variety of sensitivities to noise and air quality within the population and an assessment of 'no significant effect' in EIA does not signify no change.</p> <p>The Applicant also notes that where potential health and wellbeing effects on sensitive receptors as a result of air quality or noise are identified, these effects are assessed and reported Chapter 16 [REP9-011] and Chapter 7 [AS-0786] of the ES and not duplicated in the health assessment.</p>		Not agreed

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		with the monitoring of complaints and triggering of initiatives to resolve issues will be valuable (REP7-009/010 para 13.13.3 and also within the descriptions of effects and mitigations in Table 13.20).			
3.11.3	Impacts on Aylesbury	<p>BC requires consideration of the impacts of the Proposed Development on Aylesbury. This relates both to the proposals for traffic movement on the highway network in and around Aylesbury and specifically in relation to the impacts on the AQMAs, which are not reported within the Health and Community chapter of the ES [AS-078].</p> <p>Subsequent to receipt of specific data from the traffic modelling supplied by the Applicant at D6, BC traffic officers have undertaken analysis of the applicability of the traffic modelling to the areas of concern within the Buckinghamshire network. This is now accepted by BC as valid, without a requirement for remodelling.</p> <p>BC air quality officer is satisfied with the assessment findings and the way in which the Aylesbury AQMAs are represented within the submission. Consequently, BC no longer considers it necessary to draw out specific commentary in the health and community assessment.</p>	<p>The change in traffic flows as a result of the Proposed Development were reviewed for the road links in the strategic model, including those in the south of Buckinghamshire, to identify those links that met the magnitude of impact thresholds in Environmental Impact Assessment (EIA) terms. The impacts on road links in this area did not meet the thresholds that triggered consideration of significant effects.</p> <p>Any significant effects have been identified through detailed modelled assessments and mitigation proposed. More details are provided in the Transport Assessment [APP-203, AS-123, APP-205, APP-206].</p> <p>The Applicant notes that BC raised a number of matters relating to health in their Post-Hearing Submission [REP6-087]. The impact on Aylesbury was not one of the issues raised in this submission.</p> <p>The Applicant welcomes BC's confirmation that the modelling is considered valid and that the air quality officer is satisfied with the assessment findings.</p>	Confirmed at meeting on 17 January 2024	Agreed
3.11.4	Expansion of the health and communities assessment	<p>The Health and Community chapter of the ES [AS-078] reports increased aircraft movements and changes in aircraft noise exposure in the population as a moderate adverse permanent effect on health outcomes across the study population. BC considered this very generalised and suggested that the health and community assessment should be expanded to assess the impacts on tranquillity of affected parts of the Chilterns AONB, as well as any sensitive community receptors that are scoped in following the updates. Should any significant adverse effects be identified, BC would wish to be directly involved in developing proposals for mitigation, from the perspective of avoiding adverse effects on health and communities.</p> <p>Subsequent to receipt of specific data from the traffic modelling supplied by the Applicant at D6, BC traffic officers have undertaken analysis of the applicability of the traffic modelling to the areas of concern within the Buckinghamshire network. This is now accepted by BC as valid, without a requirement for remodelling. BC officers are satisfied with the assessment findings and the way in which issues relating to</p>	<p>The impact of noise from the Proposed Development on health and quality of life for residential and sensitive community receptors has been assessed and all reasonably practicable measures have been explored to reduce noise impacts. Further details can be found in Chapter 16 Noise and Vibration of the ES [REP9-011].</p> <p>The effects of aircraft noise on the perception of tranquillity by recreational users of landscape receptors, including the Chilterns AONB and rural areas in proximity to the Airport, have been assessed in Chapter 14 of the ES, Landscape and Visual [AS-079].</p> <p>An assessment of the impact of noise on health and communities has been undertaken and reported in Chapter 13 Health and Community of the ES [AS-078]. This assessment inherently considers impacts and results of the assessment in Chapter 16 Noise and Vibration of the ES [REP9-011].</p>	<p>Ref. resolution of technical issues in SoCG IDs 3.3.1 and 3.3.2</p> <p>Confirmed at meeting on 17 January 2024</p>	Agreed

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		the AONB are represented within the submission. Consequently, BC no longer considers it necessary to draw out specific commentary in the health and community assessment.	<p>Technical issues raised in SoCG ID 3.3.1, relating to operational air noise impacts on Buckinghamshire residents, have now been resolved.</p> <p>The Applicant notes that BC raised a number of matters relating to health in their Post-Hearing Submission [REP6-087]. Expansion of the assessment of health effects of aircraft noise was not one of the issues raised in this submission.</p> <p>The Applicant welcomes BC's confirmation that the modelling is considered valid and that the air quality officer is satisfied with the assessment findings.</p>		
3.12 Section 106 agreement (s106)					
3.12.1	BC membership of the ATF Steering Group	<p>The updated s106 does name BC as a prospective member of the ATF Steering Group and prospective recipient of the RIF, but it fails to secure membership in perpetuity. BC request that the Council's membership of the ATF is secured through the s106 agreement.</p> <p>The amalgamation of the RIF within the STF, its securing via requirement 32 and its status as a certified document satisfies the Council's concerns on this matter.</p>	<p>The obligations relating to the STF are no longer secured through the s106 agreement and the DCO does not secure any member in perpetuity, so it is not appropriate to identify BC as such.</p> <p>Note, the STF is now secured by requirement 32 in the Deadline 10 version of the dDCO [TR020001/APP/2.01].</p>	Agreed via email on 8 February 2024	Agreed.
3.12.2	Definition of the Relevant Highways Authority I the s106	<p>BC requests that the term 'Relevant Highways Authority' is defined in the s106 so as to include BC in the list of potential highway authorities 'relevant to type 2 mitigation under the TRIMMA and RIF.</p> <p>The amalgamation of the RIF within the STF, its securing via requirement 32 and its status as a certified document satisfies the Council's concerns on this matter.</p>	<p>The TRIMMA is secured as requirement 30 of the DCO. It is not secured via the S106.</p> <p>Note that at Deadline 10 the RIF was amalgamated into the STF, and the STF is also now secured by requirement in the dDCO [TR020001/APP/2.01].</p>	Agreed via email on 8 February 2024	Agreed.
3.12.3	Funding of the TRIMMA	<p>BC consider the TRIMMA to be underfunded and believe that it must be index linked.</p> <p>The ability for the ATF Steering Group to fund Mitigation Type 2 proposals through the STF, providing doing so does not have a significant detrimental effect on the ability to fund Travel Plan measures in any given year, satisfies the Council's concerns regarding fund size.</p>	<p>As outlined in the updated Sustainable Transport Fund [TR020001/APP/8.119] submitted at Deadline 10, the STF will now fund interventions associated with MT2 in the TRIMMA. The parking levies - which the STF will be generated through - will remain proportionate to the cost of parking throughout the period of the Proposed Development, and so the fund will increase if the price of parking increases with inflation.</p>	Agreed via email on 8 February 2024	Agreed.
3.12.4	Definition of 'local area'	<p>The definition of 'Local Area' currently refers to the 'Aylesbury Vale area of Buckinghamshire Council'. The Council considers that to align with the Local Procurement Protocol, the Employment & Training Strategy and the Community</p>	<p>The definition of 'Local Area' in the section 106 relates only to the Community Fund and does not relate to the ETS. The Community Fund is an existing fund that is already</p>		Not Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
		<p>Fund area that this definition should refer to the 'administrative area of Buckinghamshire Council'.</p> <p>Further to the Applicant's response the definition of Local Area within the Deadline 9 s106 does not make it explicit that it relates solely to the Community Fund. Moreover, the definition of the Local Procurement Protocol also includes the term 'Local Area' which would appear to fall outside of the Community Fund's remit.</p>	<p>established and run by LLAOL and therefore the definition of Local Area remains as drafted and will not be amended.</p>		
3.12.5	Noise Technical Panel membership	<p>Notwithstanding BC's opinion that it should be part of the ESG and all Technical Panels from the outset, should BC, or any other authority, be included as a member of the Noise Technical Panel as a result of a noise limit review then the s106 should make allowance for the potential change in the technical panel membership to specifically include BC as a potential member and Schedule 5 be amended commensurately to ensure relevant payments are made to any new member of the technical panel.</p> <p>It should also be noted that in its current form Schedule 5 fails to capture all additional members of the Technical Panel outlined in Table 2.1 of the Technical Panel Terms of Reference. Whilst not all of these members may be party to the S106 the Council believes that the Applicant should set out clearly how the payments proposed for the host authorities (in their role on the Technical Panels) would also be secured for other authorities, either currently proposed or as a future addition to the membership.</p> <p>The Council welcomes the proposed amendments to the draft ESG and Technical Panels Terms of References to include the stated text on the basis that the commitment made by the Applicant applies to both currently proposed and subsequently added members of ESG and Technical Panels.</p>	<p>In response to these concerns, the Applicant has made amendments to both the Draft ESG Terms of Reference [TR020001/APP/7.08] and Draft Technical Panels Terms of Reference [TR020001/APP/7.08] to include the following:</p> <p><i>"Members of the ESG/TP are proposed to, subject to agreement, have contributions paid in respect of officer time associated with the attendance of ESG/TP meetings. The amounts payable are to be agreed between the parties, but [the Applicant] should seek to ensure all members have access to contributions on an equivalent footing (and the starting presumption is that any sums will reflect contributions provided under the section 106 agreement in connection with the Proposed Development)."</i></p>	Agreed via email on 8 February 2024	Agreed
3.12.6	Flexibility in the approach to allocation of payments under Schedule 5 - Green Controlled Growth – Funding Elements and expansion of	<p>BC proposes that Schedule 5 – Green Controlled Growth – Funding Elements, paragraph 1.1 should be amended to provide flexibility in the approach to allocation of payments under the schedule to allow for membership of the ESG to be expanded to cover other local authorities, including BC.</p> <p>BC suggests the following wording:</p> <p>The Applicant covenants to make annual payments to CBC, HCC, LBC and NHDC as <i>inaugural</i> members of ESG according to the table in this Schedule (the "Table") to assist them in meeting their obligations arising in relation to the ESG</p>	<p>Please refer to the Applicant's position in matter 3.12.5 above.</p>	Agreed via email on 8 February 2024	Agreed

SoCG ID	Matter	Buckinghamshire Council position	The Applicant position	Source of agreement	Agreed / Ongoing / Not agreed
	ESG membership	<p>(or any successor body) and / or any related Technical Panel on account of the Authorised Development on the basis that doing so imposes on them additional cost burdens over and above their general duties and responsibilities and in particular discharging the obligations mentioned in the Table and any other responsibilities arising from their responsibilities on the ESG and / or Technical Panel. Where any new member of the ESG and / or Technical Panel is established annual payments will also be made to the additional member(s) according to the table in this Schedule.</p> <p>The Council welcomes the proposed amendments to the draft ESG and Technical Panels Terms of References to include the stated text on the basis that the commitment made by the Applicant applies to both currently proposed and subsequently added members of ESG and Technical Panels.</p>			
3.12.7	Securing the commitment to fund 40% of the Community Fund on projects outside the administrative area of Luton	<p>In terms of the commitment to fund 40% of the Community Fund on projects outside the administrative area of Luton, Schedule 7 already secures the Compensation policies and Measures and Community First document. Schedule 9 should align with Schedule 7 and make reference to the document as well as specifically confirm the 40% commitment within Schedule 9.</p> <p>The amalgamation of the RIF within the STF, its securing via requirement 32 and its status as a certified document satisfies the Council's concerns on this matter.</p>	The obligation relating to the STF (previously schedule 9) has now been removed from the section 106 agreement and is now secured by requirement 32 in the DCO.	Agreed via email on 8 February 2024	Agreed.