

February 2024

London Luton Airport Expansion

Planning Inspectorate Scheme Ref: TR020001

Volume 8 Additional Submissions (Examination)

8.22 Statement of Commonality for Statements of Common Ground

Infrastructure Planning (Examination Procedure) Rules 2010

Application Document Ref: TR020001/APP/8.22

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

London Luton Airport Expansion Development Consent Order 202x

8.22 STATEMENT OF COMMONALITY FOR STATEMENTS OF COMMON GROUND

Deadline:	Deadline 11
Planning Inspectorate Scheme Reference:	TR020001
Document Reference:	TR020001/APP/8.22
Author:	Luton Rising

Version	Date	Status of Version
Issue 1	September 2023	Additional Submission – Deadline 2
Revision 1	October 2023	Additional Submission – Deadline 3
Revision 2	December 2023	Additional Submission – Deadline 6
Revision 3	February 2024	Additional Submission – Deadline 11
Revision 4	February 2024	Additional Deadline 11 Submission

Contents

	Page
1 Introduction	1
1.1 Background	1
1.2 Purpose of this document	1
1.3 Structure of Statements of Common Ground	1
1.4 List of Statements of Common Ground	2
2 Status of Statements of Common Ground	3
2.1 Summary of current position	3
3 Commonality	16
3.1 Summary	16

Tables

Table 1.1: List of SoCGs

Table 2.1: Current position of SoCGs

Table 3.1: Table of commonality at Deadline 11 – 8 February 2024

1 INTRODUCTION

1.1 Background

- 1.1.1 London Luton Airport Limited, trading as Luton Rising (“the Applicant”), has applied to the Secretary of State for Transport for development consent 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”).

1.2 Purpose of this document

- 1.2.1 Statements of Common Ground (SoCGs) have been prepared and developed during the Examination by the Applicant and relevant Interested Parties in line with the Rule 6 letter from the Examining Authority (ExA). The SoCGs provide a record of discussions with those Interested Parties and a summary of the matters that are either agreed, subject to ongoing discussion, or not agreed. Drafts of the SoCGs have been shared with the relevant Interested Parties and their comments addressed. The Applicant continued to engage with the Interested Parties to discuss matters that were still outstanding as the Examination drew to a close.
- 1.2.2 The Applicant has submitted, at various deadlines during the Examination, final versions of SoCGs as they were completed. A number of signed SoCGs have been submitted at Deadline 11 and the remaining signed SoCGs have been submitted on 9 February 2024 ahead of the close of Examination.
- 1.2.3 A Statement of Commonality has been provided, at the request of the ExA, at various deadlines during the Examination to provide an overview of the position between the Applicant and the relevant Interested Parties and a table showing commonality on specific points between the various SoCGs.
- 1.2.4 This document provides a summary of the status of SoCGs on 9 February 2024, ahead of the close of Examination.

1.3 Structure of Statements of Common Ground

- 1.3.1 To ensure consistency in the approach across all SoCGs and provide clarity to the ExA, most (with one or two exceptions) SoCGs have followed a standard format as set out below:

Section 1: provides a background to the document, the parties to the SoCG, and a description of the Proposed Development.

Section 2: provides a summary of the consultation and engagement to date between the parties.

Section 3: sets out the matters that are agreed and not agreed.

1.4 List of Statements of Common Ground

1.4.1 The list of SoCGs entered into between the Interested Parties and the Applicant are listed in the Table 1.1.

Table 1.1: List of SoCGs

Host local authorities
Luton Borough Council
Central Bedfordshire Council
Hertfordshire County Council
North Hertfordshire District Council
Dacorum Borough Council
Neighbouring local authorities
Buckinghamshire Council
Prescribed consultees
Historic England
Natural England
Environment Agency
NATS (En Route) PLC
NATS (Services) Limited
Civil Aviation Authority (CAA)
UK Health Security Agency and Office for Health Improvement and Disparity (UKHSA and OHID)
National Highways
East of England Ambulance Service
Bedfordshire Fire and Rescue Service
Affinity Water
Thames Water
Prax Downstream UK Limited (Prax)
Cadent
Non-statutory consultees on airport site
World Fuel Services (WFS)
Bedfordshire Police

2 STATUS OF STATEMENTS OF COMMON GROUND

2.1 Summary of current position

2.1.1 Table 2.1 provides a summary of the final position of each SoCG at Deadline 11 and the end of the Examination.

Table 2.1: Current position of SoCGs

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
Host local authorities						
TR020001/AP P/8.13	Luton Borough Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.	Final signed SoCG submitted at Deadline 11.	Final signed SoCG submitted at Deadline 11.
TR020001/AP P/8.14	Central Bedfordshire Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to	The Applicant will continue to engage with the Interested Party and intends to submit an	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to	Final signed SoCG submitted at Deadline 11.	Final signed SoCG submitted at Deadline 11.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
		continue ahead of Deadline 3 to update the document.	updated SoCG at Deadline 6.	finalise the document.		
TR020001/AP P/8.15	Hertfordshire County Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	The Applicant has taken the time to address the majority of comments raised by Hertfordshire County Council (HCC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with HCC ahead of	All matters have been resolved with the Interested Party and the SoCG is with HCC to sign. The Applicant intends to submit the signed final SoCG before the close of Examination.	Final signed SoCG submitted on 9 February 2024.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
				Deadline 9 to finalise the document.		
TR020001/AP P/8.16	North Hertfordshire District Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	The Applicant has taken the time to address the majority of comments raised by North Hertfordshire District Council (NHDC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with NHDC ahead of	All matters have been resolved with the Interested Party and the SoCG is with NHDC to sign. The Applicant intends to submit the signed final SoCG before the close of Examination.	Final signed SoCG submitted on 9 February 2024.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
				Deadline 9 to finalise the document.		
TR020001/AP P/8.17	Dacorum Borough Council	SoCG submitted at Deadline 2. Interested Party did not provide comments on the document ahead of the deadline.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	The Applicant has taken the time to address the majority of comments raised by Dacorum Borough Council (DBC), ensuring that they have been appropriately incorporated. However, a handful of comments could not be addressed or incorporated due to the late arrival of feedback. The Applicant will continue engaging with DBC ahead of Deadline 9 to	All matters have been resolved with the Interested Party and the SoCG is with DBC to sign. The Applicant intends to submit the signed final SoCG before the close of Examination.	Final signed SoCG submitted on 9 February 2024.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
				finalise the document.		
Neighbouring local authorities						
TR020001/AP P/8.18	Buckinghamshire Council	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.	All matters have been resolved with the Interested Party and the SoCG is with Buckinghamshire Council to sign. The Applicant intends to submit the signed final SoCG before the close of Examination.	Final signed SoCG submitted on 9 February 2024.
Prescribed consultees						
TR020001/AP P/8.05	Historic England	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	All matters were agreed at Deadline 2 so an updated SoCG was not	An additional matter was raised after Deadline 3 so an updated SoCG has been submitted at	All matters were agreed at Deadline 6 and the SoCG was signed by HE. The Final SoCG	Final signed SoCG submitted at Deadline 9.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
			submitted at Deadline 3.	Deadline 6, All but one matter in the SoCG are agreed, with one not agreed. The SoCG signed by Historic England only.	was submitted at Deadline 9 signed by Historic England and the Applicant.	
TR020001/AP P/8.32	Natural England	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.	Final signed SoCG submitted at Deadline 9.	Final signed SoCG submitted at Deadline 9.
TR020001/AP P/8.07	Environment Agency	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to	Final signed SoCG submitted at Deadline 9.	Final signed SoCG submitted at Deadline 9.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
			continue ahead of Deadline 6.	finalise the document.		
TR020001/AP P/8.21	NATS (En Route) PLC	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	All matters are still agreed, some text within the matters has been updated at the request of NATS (En Route) PLC. The SoCG has been submitted at Deadline 6. The Applicant is engaging with the Interested Party to progress the signing of the SoCG for Deadline 9.	Final signed SoCG submitted at Deadline 8.	Final signed SoCG submitted at Deadline 8.
TR020001/AP P/8.09	NATS (Services) Limited	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an	All matters were agreed at Deadline 2 and there have been no further updates to the SoCG, therefore, the SoCG has not	Final signed SoCG submitted at Deadline 8.	Final signed SoCG submitted at Deadline 8.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
			updated SoCG at Deadline 6.	been submitted at Deadline 6. The Applicant is engaging with the Interested Party to progress the signing of the SoCG for Deadline 9.		
TR020001/AP P/8.10	CAA	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6. All matters have been agreed with the Interested Party. The Applicant is engaging with the Interested Party to progress the signing of the SoCG for Deadline 9.	Final signed SoCG submitted at Deadline 9.	Final signed SoCG submitted at Deadline 9.
TR020001/AP P/8.12	UKHSA and OHID	SoCG submitted at Deadline 2. SoCG addresses comments raised	The Applicant will continue to engage with the Interested Party	Updated SoCG submitted at Deadline 6, with engagement to	Final SoCG submitted at Deadline 10. The UKHSA has a	Final SoCG submitted at Deadline 10. The UKHSA has

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
		by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	and intends to submit an updated SoCG at Deadline 6.	continue with the Interested Party ahead of Deadline 9 to finalise the document.	policy that it does not sign SoCGs, so they have separately written to the Examining Authority to confirm they have worked with the Applicant on the preparation of the SoCG and that it reflects UKHSA's position on matters.	a policy that it does not sign SoCGs, so they have separately written to the Examining Authority to confirm they have worked with the Applicant on the preparation of the SoCG and that it reflects UKHSA's position on matters.
TR020001/AP P/8.11	National Highways	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.	All matters have been resolved with the Interested Party and the SoCG is with National Highways to sign. The Applicant intends to submit the signed final SoCG before the	Final signed SoCG submitted on 9 February 2024.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
		update the document.	continue ahead of Deadline 6.		close of Examination.	
TR020001/AP P/8.19	East of England Ambulance Service	SoCG submitted at Deadline 2. SoCG addresses comments raised by the Interested Party, with engagement to continue ahead of Deadline 3 to update the document.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue with the Interested Party ahead of Deadline 9 to finalise the document.	Final signed SoCG submitted at Deadline 11.	Final signed SoCG submitted at Deadline 11.
TR020001/AP P/8.20	Bedfordshire Fire and Rescue Service (BFRS)	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	The Applicant will continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Updated SoCG submitted at Deadline 6. All matters have been agreed with the Interested Party. SoCG signed by BFRS only.	Final signed SoCG submitted at Deadline 9.	Final signed SoCG submitted at Deadline 9.
TR020001/AP P/8.08	Affinity Water	Draft SoCG submitted at Deadline 2.	Updated SoCG submitted at Deadline 3 to	Updated SoCG submitted at Deadline 6, with	Final signed SoCG submitted at Deadline 11.	Final signed SoCG submitted at Deadline 11.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
		SoCG content agreed with Interested Party.	reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	engagement to continue ahead of Deadline 9 to finalise the document.		
TR020001/AP P/8.06	Thames Water	Draft SoCG submitted at Deadline 2. SoCG content agreed with Interested Party.	Updated SoCG submitted at Deadline 3 to reflect further engagement with the Interested Party, with engagement to continue ahead of Deadline 6.	Updated SoCG submitted at Deadline 6, with engagement to continue ahead of Deadline 9 to finalise the document.	Final signed SoCG submitted at Deadline 11.	Final signed SoCG submitted at Deadline 11.
TR020001/AP P/8.03	Prax	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with all matters	All matters were agreed at Deadline 2.	All matters were agreed at Deadline 2. The SoCG has now been signed by Prax and the Applicant and	Final signed SoCG submitted at Deadline 6.	Final signed SoCG submitted at Deadline 6.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
		agreed. Signed by Prax only.		submitted at Deadline 6.		
TR020001/AP P/8.04	Cadent	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with ongoing matters. Signed by Cadent only.	The Applicant wil continue to engage with the Interested Party and intends to submit an updated SoCG at Deadline 6.	Engrossments for the side agreement and Protective Provisions have been issued to Cadent for approval and execution. The SoCG will be updated once this is complete and then submitted by Deadline 9 at the latest.	Final signed SoCG submitted at Deadline 10.	Final signed SoCG submitted at Deadline 10.
Non-statutory consultees on airport site						
TR020001/AP P/8.02	WFS	SoCG submitted at Deadline 2. All SoCG matters agreed with Interested Party.	All matters were agreed at Deadline 2.	All matters were agreed at Deadline 2. SoCG has now been signed by WFS and the Applicant and	Final signed SoCG submitted at Deadline 6.	Final signed SoCG submitted at Deadline 6.

Document reference	Interested Party	Status at Deadline 2 (12 September 2023)	Status at Deadline 3 (5 October 2023)	Status at Deadline 6 (8 December 2023)	Status at Deadline 11 (8 February 2024)	Status ahead of the close of Examination (9 February 2024)
				submitted at Deadline 6.		
TR020001/AP P/8.01	Bedfordshire Police	SoCG submitted at Deadline 2. SoCG content agreed with Interested Party with all matters agreed. Signed by Bedfordshire Police.	All matters were agreed at Deadline 2.	All matters were agreed and SoCG signed by Bedfordshire Police and the Applicant at Deadline 2. No further updates were required so this has not been submitted again at Deadline 6.	Final signed SoCG submitted at Deadline 2.	Final signed SoCG submitted at Deadline 2.

3 COMMONALITY

3.1 Summary

3.1.1 Table 3.1 demonstrates where there is commonality in the matters being discussed with the parties within SoCGs.

3.1.2 The table is presented to show topics covered within the various SoCGs and how these are relevant to each party, with the position for each topic presented as follows:

	Matter agreed
	Matter not agreed
	Matter not covered by SoCG

3.1.3 There are some instances where within a topic some matters are agreed and some are not agreed – in this case these have been categorised in the matrix by the majority e.g. where 75% of matters are agreed, but 25% are not agreed, this has been categorised as agreed. Please refer to the individual SoCGs for further information.

Table 3.1: Table of commonality at Deadline 11 – 8 February 2024

Interested Party	Draft DCO	Protective Provisions / Easements	Section 106 Agreement	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects	
Luton Borough Council																													
Central Bedfordshire Council																													
Hertfordshire County Council																													
North Hertfordshire District Council																													
Dacorum Borough Council																													
Buckinghamshire Council																													
Historic England																													

Interested Party	Draft DCO	Protective Provisions / Easements	Section 106 Agreement	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects	
Natural England																													
Environment Agency																													
NATS (En Route) PLC																													
NATS (Services) Limited																													
CAA																													
UKHSA and OHID																													
National Highways																													
Affinity Water																													

Interested Party	Draft DCO	Protective Provisions / Easements	Section 106 Agreement	Consultation	Planning	Compensation	Need Case	Design	Construction Impacts	Green Controlled Growth	Airspace and flightpaths	Aviation Fuel Supply and Storage	Employment and Training Strategy	Assessment of Alternatives	Air Quality	Biodiversity	Climate Change and Greenhouse Gases	Cultural Heritage	Economics and Employment	Health and Community	Landscape and Visual Impact	Major Accidents and Disasters	Noise and Vibration	Soils and Geology	Traffic and Transport / Surface Access	Waste and Resources	Water Resources and Flood Risk	Cumulative Effects
Thames Water																												
East of England Ambulance Service																												
Bedfordshire Fire and Rescue Service																												
Prax																												
Cadent																												
WFS																												
Bedfordshire Police																												