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London
SW1P 4DR

Paul Donovan
Department of Growth and Environment
Hertfordshire County Council
Farnham House
Six Hills Way
Stevenage
SG1 2ST

19th August 2024

Dear Sir/Madam,

**Planning Act 2008 and the Infrastructure Planning (Examination Procedure)
Rules 2010**

**Application by London Luton Airport Limited '(the applicant)' Seeking
Development Consent for the Proposed London Luton Airport Expansion ('the
Proposed Development').**

1. This correspondence is on behalf of Hertfordshire County Council and North Hertfordshire District Council (the 'authorities') in response to the Department of Transport letter dated 2nd August in relation to the above.

SIDE AGREEMENTS

Side agreement with Hertfordshire County Council proposed by the applicant

2. During the course of the Examination the applicant presented a side agreement to Hertfordshire County Council to seek to overcome the concerns of the authorities in relation to:

- i. the applicant's proposals for interventions to Hitchin junctions. These concerns are set out in a range of Examination documents and summarised at:
 - Pages, 9, 10, 11, 12 and 13 of the PADSS of the authorities (REP8-056).
 - HCC32 'Hitchin Mitigation measures' of the Statement of Common Ground between London Luton Airport and Hertfordshire County Council (REP11-095).
 - NHDC31 'Hitchin Mitigation measures' of the Statement of Common Ground between London Luton Airport and North Hertfordshire District Council (REP11-097).

The applicant presented revised junction improvements, appended to the side agreement, that it would commit to funding to the equivalent of and that would be treated through the TRIMMA process [Mitigation Type 1 (MT1) set out in section 3 of 8.97 Outline Transport Related Impacts Monitoring and Mitigation

Approach (TRIMMA) (REP10-036)] as if they were off-site highway works identified in Schedule 1 to the Order.

ii. transport modelling of the impacts of the proposal on the Hertfordshire road network and the consequential need for the applicant to undertake future monitoring of the network. These concerns are set out in a range of Examination documents and summarised at:

- Pages, 13, 14, 16, 17 and 18 of the PADSS of the authorities (REP8-056).
- HCC22 'Additional Monitoring Locations' and HCC23 'COVID-19 Modelling of the Statement of Common Ground between London Luton Airport and Hertfordshire County Council (REP11-095).
- NHDC22a 'Additional monitoring locations' and NHDC22 'COVID-19 Modelling of the Statement of Common Ground between London Luton Airport and North Hertfordshire District Council (REP11-097).

The applicant presented proposals for monitoring on the Hertfordshire network. That monitoring would feed into the process of identifying potential interventions set out in the Outline Terms of Use of the STF in relation to MT2 set out in section 4.2 of 8.97 Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) (REP10-036).

3. The applicant's side agreement proposals were time limited to the end of the Examination process. They were offered on the condition the authorities removed their Hitchin junction and network monitoring concerns in advance of the close of the Examination.

4. Subsequent to the close of the Examination the applicant confirmed that an unchanged rural monitoring aspect of the side agreement remained on offer and that the agreement could also recognise the proposed alternative Hitchin junction designs in principle, but with the offer of funding withdrawn.

Traffic Calming in Hertfordshire – addressing paragraph 6 of Secretary of State Consultation Letter dated 2nd August 2024.

5. Whilst the applicant has made no offer to extend the spatial extent of monitoring to address the authorities' concerns, the County Council is prepared to enter into a side agreement on the more limited monitoring offered by the applicant, restricted to monitoring within North Hertfordshire only.

Hitchin Junctions off-site Highway Mitigation (Works Nos. 6e (i, k and m)) – addressing paragraphs 2 and 8 of Secretary of State Consultation Letter dated 2nd August 2024.

6. No further evidence has been presented to seek to overcome the authorities' concerns and as a consequence the designs for Hitchin junctions remain unacceptable and the authorities' objections stand. To overcome those objections the authorities would require fully tested interventions that address their concerns as set out in the documents highlighted in paragraph 2.i.

7. As things currently stand, any potential future interventions would be subject to the process for Mitigation Type 1 (MT1) set out in section 3 of 8.97 Outline Transport Related Impacts Monitoring and Mitigation Approach (TRIMMA) (REP10-036).

Yours sincerely,

Paul Donovan