

LADACAN written submission of oral evidence at OFH2 (IP ref 20040757)

Note explaining supporting references and documentation

The corrected transcript below of our oral evidence to OFH2 refers to supporting evidence which can most conveniently be located via LADACAN's Proof of Evidence ("LPoE") to the 2022 Planning Inquiry (PINS ref APP/B0230/V/22/3296455) into the called-in decision by Luton Borough Council to permit 19mppa and increased noise contours at Luton Airport (planning ref 21/00031/VARCON).

Document "LPoE" has been provided as Appendix 1 to LADACAN's Written Representations to this Examination, which itself refers to Core Documents in the 2022 Inquiry Library by their CD number. Those Core Documents and other documents referenced below can conveniently be accessed from that Library by pasting the link provided below into a browser:

<https://gateleyhamer-pi.com/en-gb/luton-airport/library-documents/>

Footnote references in this submission should therefore be interpreted as follows:

- a) References to LPoE are to sections and paragraphs within Appendix 1 of LADACAN's WR
- b) References to 2022 Inquiry documents can be found in sub-folders on the above link thus:
 - those prefixed "CD" are in the Core Documents sub-folders
 - those prefixed "INQ" are in the "Other Documents Submitted During Inquiry" sub-folder
 - those prefixed "APP-W2.1" are in the "London Luton Airport Operations Ltd" section of the "Proofs of Evidence and Associated Documents" sub-folder of the 2022 library
- c) Any other references prefixed "APP-" or "AS-" relate to the library of this Examination

Transcript of oral evidence with supporting references

I'm Andrew Lambourne from LADACAN. I want to provide a top-level perspective on behalf of our members which I hope is fair and balanced, and explains why we oppose this application.

The timing of the application is very odd, since the Airport is only partway through Project Curium to grow capacity to 18 million passengers a year, which itself was at the instigation of the Applicant.¹

Therefore, it is quite reasonably arguable that the overall planning balance is best viewed in the context of what Curium set out to achieve and did or didn't achieve, and where this Application would go next.

In terms of the Planning Officer's recommendation and the Decision Document, Curium was carefully conditioned to balance benefits and harms. There would be steady growth in passengers and flights, with noise mitigated by steady reduction at source through modernisation of the fleet to less noisy and more fuel-efficient aircraft.²

¹ See LPoE section 3 "Background to the 2012 Application", paragraphs 25-31 inclusive

² See LPoE section 4 "Essential planning controls", paragraphs 33-38 inclusive

The timeframe for delivery of this balanced growth mitigation was 15 years, with the first less noisy aircraft expected to arrive in 2017³, and a long-term noise contour reduction target coinciding with reaching the passenger cap in around 2028⁴.

Many people who opposed the Curium application felt at least this gave some certainty over its impacts.

Very regrettably, the Applicant, the Council and the Airport Operator all entered into a Growth Incentive Scheme immediately in 2014 in which airlines delivering passenger growth year-on-year were financially rewarded, paid for out of the concession fee, which of course is public money.⁵

Despite its Section 106 responsibilities to oversee the growth and performance against conditions, the Council somehow lost sight of the connection between numbers of passengers and flights and noise impacts. Its Oversight and Scrutiny Board didn't connect business performance exceeding passenger targets because of funding by Luton Rising, with performance against noise conditions.⁶

The result was a forecast of noise contour breach in 2016 and actual and steadily worsening breaches in 2017, 18 and 19 - in which year the passenger cap was also reached, nine years too soon.⁷

Had COVID not intervened the breach in 2020 would have been even worse, because by this time too many slots had been released, which - coupled with larger⁸ and noisier⁹ aircraft - meant the 18 million passenger cap would have been breached as well as the noise contours again.¹⁰

Since slots once issued to airlines can't be rescinded, the Airport Operator found itself embarrassed in front of its airline customers¹¹, and hence the salami slice '19 million passengers' application which was called in largely because communities and other affected councils cried "foul".

The upshot is that we're now faced with a premature application for a near redoubling again of capacity, before the fleet or the airspace has been fully modernised, before the physical works for Curium are complete¹², and with communities having experienced unbalanced growth since 2014.

Yet industry - by which I mean airlines, the Airport operator and the Applicant as an airport owning business - received windfall commercial benefits.¹³

³ See LPoE section 9 "Growth in throughput and noise 2014-2019", paragraph 86

⁴ See LPoE section 6 "Failure to control noise", paragraphs 59-60

⁵ See LPoE section 7 "Growth incentive scheme", paragraphs 64-67, including also Annex-A

⁶ See LPoE section 8 "Targeting of higher growth rates", paragraphs 69-78 inclusive, including also Annex-A

⁷ See LPoE section 9 "Growth in throughput and noise", paragraphs 80-87 inclusive

⁸ See 2022 Inquiry document APP-W2.1 "Proof of Evidence of Andy Hunt", Appendix 1 "London Luton Airport Operations Ltd - Statement Relating to Operations at the Airport and Forecasting", paragraphs 37-39 inclusive

⁹ See 2022 Inquiry document INQ-44.1 "Corrigendum to LADACAN Note Regarding Noise Measurements" sections 5.3 and 5.4 showing noise performance of Airbus A321 at Luton Airport, from LLAOL annual noise monitoring data

¹⁰ Fleet modernisation was by this time in progress, but moving towards larger aircraft such as the A321 with more seats and hence more passengers per flight, and so more passengers per slot. See chart in LPoE paragraph 118.

¹¹ See 2022 Inquiry document APP-W2.1 "Proof of Evidence of Andy Hunt", Appendix 1 "London Luton Airport Operations Ltd - Statement Relating to Operations at the Airport and Forecasting", paragraphs 70-84 inclusive

¹² Works to provide a new taxiway feeding the eastern end of the runway: full length runway departures have been shown in noise monitoring data analysed by LADACAN and LLAOL to slightly reduce air noise in South Luton

¹³ See Annual Accounts for 2019 filed at Companies House by London Luton Airport Ltd (the Applicant) and London Luton Airport Operations Ltd (the Airport Operator)

Government policy on aviation growth recognizes that airports deliver social goods and social harms, and is at pains to emphasise the need for balancing benefits with harms; noise with mitigation and control.¹⁴

Fundamentally, it expects noise to reduce as airports grow wherever possible, and for industry to share benefits as noise is reduced. Had Project Curium initially been proposed as “Grow to 18 million passengers by 2019, with only partial mitigation and partial compensation by noise insulation, and noise levels exceeding those carried forward from the saved Local Plan”, it would have been rejected.¹⁵

So in assessing this application, the Panel is assessing a situation in which, since 2014, the balance has been wrongly and prematurely tilted in favour of growth and against mitigation¹⁶, which is why the Applicant’s initial wish to use 2019 actual baselines¹⁷ is so offensive.

The effects of COVID on the whole situation is a further complicating factor. But we respectfully submit it should not be used as justification for permitting further growth, and in particular draw the Panel’s attention to the government’s COVID support for Luton, which was predicated on the Council reducing its exposure to Airport revenue.¹⁸

In looking at this in the round, I’ve sought to understand the Applicant’s position and also the feelings of those who support the Application and work charitably within Luton, as well as those who oppose it.

What struck me most about yesterday’s Open Floor was the use of the word fearful, which is sad in the context of what an NSIP ought to represent.

And I sense fear on all sides. Charities and community groups in Luton who have received funding over the years from the Applicant are fearful they might lose it, but nobody is suggesting they will.¹⁹

People who struggled to cope with rapid growth in noise and traffic up to 2019 are now fearful for their health and quality of life, as well as the value of their homes.²⁰

¹⁴ See overview of noise policy in LADACAN Written Representation, and LADACAN comments on overarching noise policy

¹⁵ See LPoE section 4 “Essential planning controls”, paragraphs 33-38 inclusive, already cited above

¹⁶ 18mppa was reached nine years earlier than proposed, with the installation of noise insulation significantly lagging eligibility and modernised aircraft types comprising only 5% of the 2019 fleet at LLA

¹⁷ See APP-47 “Scoping Opinion Response”, top right box on printed page 93, Applicant Response: *“Although it is acknowledged that, in 2019, existing noise contour limits were exceeded for both day and night periods, the use of 2019 as a baseline is to identify if there will be any changes to health and quality of life from the last year of typical operating conditions. The use of the 2019 Actuals baseline is also in line with the Scoping Opinion that notes at 4.5.4 that “The baseline year and the baseline noise monitoring year should be consistent”.*

¹⁸ See 2022 Inquiry document CD17.17 “KB_To_Luton_Leader” from Minister Kemi Badenoch MP, 8 Dec 2021

¹⁹ See AS-128 “Draft compensation measures” Rev 1, para 8.1.6, confirming the Applicant’s community funding will continue outside of Community First and be unaffected by it

²⁰ See Relevant Representations, particularly from members of the public

The Applicant is no doubt fearful because of the huge amount of public money it has burned not only in creating this Application²¹, but in the advance works to facilitate it²², and the interest payments it now faces²³.

Fear is also being whipped up that if the Application is not granted, airlines will desert Luton, and also that people want to close the airport²⁴. Neither is true. The Applicant's highly respected advisors, York Aviation, have produced plausible forecasts for the Do Minimum or Do Nothing scenario of continued fleet modernisation out to 2043, with 18 million passengers continuing to be served per year.²⁵

The 1,603 Relevant Representations indicate broadly a 90% plus balance opposing the Application, which is probably why the petition is now being whipped up also asking people to support the prospect of more jobs and more money in the economy. Well, people would agree to that wouldn't they?

I think it's true to say that everyone is fearful that climate change really has now got out of control. And the world's governments don't seem to be rising to the challenge. The Jet Zero strategy is still a list of aspirations rather than a list of policies.²⁶

With all that said, we recognise that the Panel will need the wisdom of Solomon to assess all of this. And we will seek to assist where we can.

In summary, impacted communities feel strongly they deserve a better airport rather than a bigger airport, particularly given its physical location and its recent growth context.

There are key mitigations²⁷, which are still able to be delivered and could be delivered if the growth was delayed until that had been done.

And in town planning terms, as we've consistently said in consultation, Luton would benefit from a more resilient and diversified local economy, which would deliver the [economic] aspirations for this project, but with less environmental and social harms.

²¹ Around £65 million

²² Building the DART; the New Century Park (now Green Horizons Park) project and access road; the long-term lease of Wigmore Valley Park to the Applicant despite significant opposition from residents

²³ The loan of public money from the PWLB via LBC to the Applicant is around £500 million

²⁴ See <https://www.politicshome.com/members/article/campaign-launched-grow-airport-future>

²⁵ See AS-096 "ES Appendix 16.1 Rev 1", Table 6.40: Do-Minimum Average Summer Day Aircraft Movement Data

²⁶ See Climate Change section of LADACAN's Written Representation

²⁷ Including airspace modernisation to eliminate the long-standing issues of aircraft departing from and arriving at Luton Airport being held low at 4,000ft or 5,000ft often for 20 miles or more, and eliminate arrivals holding stacks; to allow more time for fleet modernisation to be completed; to resolve the issue with the higher-than anticipated noise from the Airbus A321neo; works to provide a new taxiway feeding the east end of the runway; and implementation of a more noise-beneficial Noise Abatement Departure Procedure