

Submission ID: 20126

Hi, Evidence from OFH 1, and our written verbal statement with evidence included.

SLAE OFH1 Verbal Statement - 20039680

This verbal submission is based on SLAE's previous relevant representation and will provide further explanation and evidence to help inform the ExA. With only 8 minutes to speak I will not read out all the context and apologise that this verbal statement will be disjointed.

I start with our 2nd paragraph. Wigmore Valley Park.

"Our group was founded to save the park following a meeting when representatives from LBC told members of our group that the park would not be built over for airport expansion."

I add to our statement, and this is really important, I would like to say that many of you here today know that earlier this year we lost our Chairman, Scott Stalham aged 51 to cancer. He cared deeply about the loss of the County Wildlife Site that Luton Rising and the Council plan to destroy with car parks and airport buildings. Evidence OFH 1 - c. Scott was a keen birder and I'd like each of you to think of the park and County Wildlife Site full of bird song. In memory of Scott I respectfully ask you for a few seconds silence, please listen and hear that bird song (*allow 30 seconds*). Thank you for that.

'- Evidence OFH1 - c. Document 000803 paragraphs 17.4.48, Several records of bird species have been returned by HERC. Historic records, those older than 15 years, have been omitted as they are not considered to accurately reflect the current status of local bird populations. The closest and most recent of these records (2015/16) include a record of a barn owl (Tyto alba) and several records of red kite (Milvus milvus) within the Main Application Site and a cuckoo and great tit from Sewett's Wood. BLBRMC also returned a number of records, the closest of which are red kite recorded in 2015, fieldfare (Turdus pilaris) recorded in 2003 and redwing (Turdus iliacus) recorded in 2013 within Wigmore Park CWS. In addition, there are records of barn owl, recorded in 2015, and brambling (Fringilla montifringilla) in 2008 both recorded within LTN.

17.4.54 Several records of invertebrate species have been returned by HERC. Historic records, those older than 15 years, have been omitted as they are not considered to accurately reflect the current status of local invertebrate assemblages. The closest and most recent of these records originate from Withstocks Wood LWS, 730m south, and include a number of moth species such as small square-spot (Diarsia rubi), large nutmeg (Apamea anceps) and mouse moth (Amphipyra tragopoginis), recorded in 2003. BLBRMC also returned several moth and butterfly records including chalk hill blue (Polyommatus coridon) recorded in 2010, small blue (Cupido minimus) recorded in 2009 and small heath (Coenonympha pamphilus) most recently recorded in 2015 within Wigmore Park CWS.

17.6.5 The following permanent construction impacts are anticipated: - Designated Sites: Wigmore Park CWS would be lost in its entirety to the Proposed Development. Winch Hill Woods CWS is not directly impacted by the Proposed Development, however, earthworks in the vicinity of the CWS have the potential to alter the hydrology which may impact the woodland; this will be considered in the assessment. In addition, air quality changes have the potential to impact on sensitive habitats within designated sites. - Habitats: loss and fragmentation of Section 41 priority habitats, including arable field margins, hedgerows, ponds, lowland calcareous grassland, lowland mixed deciduous woodland and wood-pasture/parkland due to earthwork construction activities. In addition, air quality changes have the potential to impact on nitrogen sensitive habitats. - Species: loss of at least two known bat roosts (common species in low numbers) and three main badger setts as well as potential impacts on populations of Roman snail, reptiles and breeding birds. Additional impacts on fauna include reduced foraging resource, disturbance and fragmentation of

species populations. In addition, there is the potential for mortality from collision with construction traffic.'

- Document 000948 Page 1 Assessment Phase 1.

'1.1.2. a. assessment Phase 1 construction works start in 2025 and would be operational in 2027;'

2nd paragraph continued. Mistrust.

Evidence OFH1 - a. The Council legally use the resolution, Regulation 4(2) of the Local Authorities Regulations 2012 to exclude the public from meetings during consideration item(s). Therefore we don't truly know yet if Luton Council, have gone behind residents backs and instead of leasing, have sold Wigmore Valley Park to Luton Rising. **Evidence OFH1 - b & Evidence ba.** The evidence is clear to read, in countless LR application documents, they state, 'The Proposed Development is set out in Schedule 1 of the DCO [TR020001/APP/2.01] and is characterised by the retention of the existing runway, expansion of the existing passenger terminal, **and the provision of a new passenger terminal on land owned by the Applicant and LBC,** to the north east of the runway, to provide an overall passenger capacity of 32 mppa.'

SLAE ask the Planning Inspectorate and Government to apply conditions to any granted DCO. To appoint a truly independent body and remove the majority Labour Council Development Management Committee, when airport expansion applications are presented, as we can't trust the council to act honestly and in residents best interests.

'- Evidence OFH1 - a. Example, Agenda Document Pack - Overview and Scrutiny Board, pages 321 (Wigmore Park lease),

'4. Wigmore Valley Park

a. Progress update

Assuming the long term lease for the park is granted during the first six months of the 2022/23 financial year prepare business case for improvement works to WVP as per the planning consent for NCP/CPAR. The SRO will be the Construction Director.

b. Key milestones

Obtain funding approval from LBC by July 2022 in order for planting works to commence in the autumn. Main programme of civils works to commence in Feb/Mar 2023 once the initial planting works have been completed

c. Challenges & mitigation

Delays to granting the long term lease will have a knock on effect on the programme of works.

As the Park has ACV status there will be a 6 month moratorium before the lease can be granted. On the current programme this should enable the lease to complete in April 2022'

page 333 (Regulation 4(2)).

Note:

'From time to time there will be a necessity to consider issues which will result in key decisions being taken which are not included in the forward plan, e.g. items of extreme urgency for

Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. 4(2)(a) Confidential information. 4(2)(b) Exempt Information. 4(2)(c) lawful power to exclude person to maintain orderly conduct of the meeting.))

This is a Formal Notice under the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations

2012 that part of the Executive meeting listed in this Forward Plan will be held in private because the agenda and reports for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it.

The last page of this document sets out the definitions of Exempt Information under Paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972.

Any correspondence to be addressed to: The Service Director, Policy Communities and Engagement, Luton Borough Council, Town Hall, Luton, LU1 2BQ unless otherwise stated.'

Evidence b



Liberal Democrats

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"Labour members may have come through the meeting with some level of integrity if they had not carefully chosen their language to deliberately distort essential facts."

- Liberal Democrat leader Councillor David Franks.

As Luton Council's Labour Executive confirmed the plan to sell Wigmore Valley Park to their airport company Liberal Democrat Councillors have claimed the Labour members may have come through the meeting with some level of integrity if they had not carefully chosen their language to deliberately distort essential facts.

"Labour Councillors presented a deliberately misleading case in their argument for selling Wigmore Valley Park to their airport company", says Liberal Democrat leader, Councillor David Franks.

"They said the lease arrangement is separate from any development proposals which may come forward. They said there are no changes in the current boundaries of the park in the lease agreement."

"The simple truth is that the lease deal and the proposed development are not just related, they are two essential parts of the same plan. They cannot do the one without doing the other so to describe the language as disingenuous would probably be too polite."

"It might have been possible to respect their position if they had not chosen to deliberately distort essential facts, a clear attempt to confuse the 101 local individuals and organisations who objected to the sale. They've made it difficult for people to believe them and they have not even succeeded in the objective. The objectors are smart enough to see that the argument is total bunkum."

ENDS 10th February 2022. David Franks

Published and promoted by David Franks on behalf of Luton Liberal Democrats, both at 7 Honeygate, Luton LU2 7EQ.

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- Evidence OFH1 ba - Document 000048 paragraph 3.4.1,

'3.4 Description of the Proposed Development

3.4.1 The Proposed Development is characterised by retention of the existing passenger terminal and the provision of a new passenger terminal on land owned by LLAL to the north east of the runway, to give an overall passenger capacity of 32mppa.'

- Document 000701 paragraph 1.1.1,

'1 INTRODUCTION

1.1 Background

1.1.1 Luton Rising (a trading name of London Luton Airport Limited) ('the Applicant') is proposing to expand London Luton Airport by submitting a Development Consent Order (DCO) application for works that will build on the current operational airport with the construction of a new passenger terminal and additional aircraft stands on land owned by the Applicant, which will take the overall passenger capacity from 18 million passengers per annum (mppa) to 32 mppa (hereby referred to as the 'Proposed Development').'

- Document 000814 paragraph 4.1.2 amongst many others.

'4.1.2 The Proposed Development is characterised by the retention of the existing runway, expansion of the existing passenger terminal, and the provision of a new passenger terminal on land owned by Luton Rising (a trading name of London Luton Airport Limited) ('the Applicant') and Luton Borough Council (LBC), to the north east of the runway. This would provide an overall passenger capacity of 32 million passenger per annum (mppa).'

3rd paragraph. The LBC / LR relationship

As stated, there are no boundaries between LR and LBC. For example, how many Luton Borough Council employees have spent time on LR and LLAL duties? This should be declared in the DCO.

Evidence OFH1 - d. Even this week the LBC CEO, Robin Porter is promoting a community petition to support the airport via his LinkedIn account.

The image shows two side-by-side screenshots. The left screenshot is a LinkedIn post by Robin Porter, CEO of Luton Borough Council, dated 24 July 2023. The post has 2,791 followers and 57 likes. It includes a link to a petition titled 'Expansion of London Luton Airport' and a photo of the petition. The right screenshot is the petition page itself, titled 'Expansion of London Luton Airport'. It shows the petition details, including the total number of signatures (263 as of 24 July 2023), and a sign-up form with fields for name, email, and address. The petition text discusses the impact of the airport expansion on the local community and the need for additional funding.

Evidence OFH1 - e. In the early months of 2022 the Luton News printed in 'Your Views' an extract of a letter from the Leader of the council, Hazel Simmons issuing a plea to council staff and council employees to support the airport expansion.



3rd Paragraph - Development Management Committee.

"In March of this year, Anne Donelon (Labour Councillor) was not selected to represent Labour in Luton's Northwell ward".

Her letter is a tell all exposé of how the Labour Council interfere with the planning committee and ignore planning laws. Evidence RR c. I can submit a copy of this letter which was downloaded from Anne's facebook site.



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I was disappointed not to be reselected as a councillor for Northwell ward in Luton. However, it was not a great surprise as the Labour Party NEC panel together with a regional observer held the selections and a report was provided by the Luton Labour Group. There were rumours of involvement from the town's two Labour MPs and judging by the number of MPs' staff and associates placed in safe Labour wards it appears there may be some truth in this rumour.

Luton North and Luton South CLPs were placed in special measures in July 2021, but the Labour Party has known about the alleged member stacking for years. I was Vice Chair of the Local Campaign Forum and Vice Chair of Luton North CLP before the selections in 2018 for the 2019 local council elections and we were aware of these allegations then. Either the Labour Party management is ineffectual or it's convenient to remain in special measures for the NEC to select the councillors in February 2023 for the local council elections in May 2023 and not the local Labour Party members. I was fortunate to be one of the two Labour councillors in one of the safest Labour wards in the town and I'm quietly confident that my colleague and I would have been reselected if the Labour members could have voted. It would have been much harder to remove sitting councillors if the membership of the Labour party could vote. It is much easier to have an application form and a 10-minute interview over Teams conducted by the NEC.

Once I was aware that local Labour Party members were not voting in the selections, I was not surprised to be deselected given that I had resigned from the Labour Group in April 2021 and had permanently "blotted my copybook" with the ruling clique within our Luton Labour Group.

I resigned the Labour Whip for two reasons:

(i) Due to the incompetence and failure to follow rules and procedures which I observed on the planning committee. Unfortunately, independent thought is not encouraged in the Luton Labour Group. You are encouraged to stand up for your residents' interests only if they align with the wishes of the councillors who control the Group. However, if your residents approach you and wish you to help them with something that is contrary to certain councillors' views it is made clear to you that this is not the way things are done within the Labour Group. Firstly, there is a "quiet word in your ear" from a portfolio holder, then from the Whip, then a formal complaint to the Whip and then a formal complaint to Standards at the Council containing allegations completely lacking in merit, with 18 other staff (officers) and councillors copied into the email.

A very cavalier attitude was displayed by certain Labour councillors to following rules and procedures on the planning committee, and I often had to remind certain fellow Labour councillors of the need to adhere to the rules. The most egregious example included a discussion in an email chain with one senior member of the planning committee discussing with a portfolio holder how he was going to vote prior to a forthcoming full council meeting. This was blatantly ignoring the requirement for the members of the planning committee to base their decision on the representations made at the meeting and to not be pre-

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determined. This conversation followed the portfolio holder circulating documentation which was also contrary to the rules as this should be circulated through the officers.

We have a code of conduct that we should follow as councillors and that includes acting with integrity and not turning a blind eye when rules and procedures are being flouted. As a member of the planning committee, I believed that the residents deserved a fair hearing and both applicants and objectors deserved to be treated equally. For standing up and ensuring that this was the case I was reported to our Group Whip.

The complaint about me to Standards at the Council was made after I asked for a site visit at a planning meeting and this led to some Labour colleagues on the planning committee trying to ignore protocol and precedent and moving to a vote on a planning application in Northwell ward, when I wished to have a site visit to properly understand the application. We are meant to consider and scrutinise applications and not simply waive them through or rubber stamp them. It transpired that the application contained inaccurate information which was why I was having difficulty understanding the same. When I quite properly acted on behalf of my residents within the rules life on the planning committee was made increasingly difficult.

I made a formal complaint to the Whip copying in the Leader detailing the above and numerous other concerns including being shouted at on several occasions. I also complained that in planning meetings residents were shouted at and derogatory comments were made to certain residents if they opposed the officers' recommendations.

You can probably guess where this is going, the Leader removed me from the planning committee in April 2021. As a consequence, I resigned the Labour Whip. This is before Luton was placed in special measures and when the residents still had a vote and when I was effectively giving up all chances of being a councillor in the next council election, as Independents tend not to be elected in Luton. I felt that it was pointless to remain in the Labour Group when you could not effectively represent your residents' views.

The Whip and the Chair contacted me and asked if I really wanted to be an Independent. I replied that I was not making up the numbers in a Labour Group when the Leader was removing someone who was calling out the way protocols and rules were flouted and when I was actually doing the job for which I was elected, in effect I was a whistleblower. I was re-instated to the planning committee, and I decided to remain in the Labour Group as I felt I would have more of a positive effect changing things from within.

After three years on planning, I moved to Children's Scrutiny to try to see whether Luton could obtain funding for Pause. Children's Services is trying to secure £300,000.00 in funding as a result of my intervention. My family law Facebook friends will be aware of how essential this resource is. To my non legal Facebook friends this programme works with women who have previously had children removed from their care and provides support to hopefully ensure that any future children they may have can grow up in their birth family. This work to secure funding is continuing as I leave my role as a councillor. I pointed this out to the NEC and how important it was for some residents in Luton, but they were uninterested.

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(ii) I have continually called out the bullying and misogyny which is endemic in the Luton Labour Group and is carried out by certain male councillors and activists. The Leader did organise an away day in June 2021 specifically to deal with bullying when someone close to her detailed her experiences, and it transpired that several female councillors had been subjected to the same. However unfortunately this had little effect, the bullying and misogyny continues because there is no leadership shown in dealing with this and fellow councillors are aware that you get nowhere if you speak out.

Last year I got involved in a WhatsApp spat with an activist, when I was singled out for different treatment in a group of over 80 people (which included councillors/ activists and at least one of our MPs). I called out this activist's unacceptable comments towards me but as he worked for one of our MPs and as the rumours were rife regarding the MPs' involvement in the selection process, not one councillor in our Labour Group said anything. It is clear that some are more equal than others in the Luton Labour Party.

Another female councillor came to me with an allegation of misogynistic behaviour regarding this activist, she had been to our Leader who had done nothing, and she came to me. She did not want to be named as she was worried about the consequences, but she was happy for me to tell the Group about her allegation. This is our Luton Labour Group where we are meant to support each other. However, the Labour NEC selections had been left hanging over councillors' heads for months and no one wanted to make waves. When I said in an email to the Group that it was a collective failure of our Group if one of our own did not feel she could publicly raise her concerns or discuss her allegation, yet again there was absolutely no public support. A couple of councillors approached me privately, but no one would speak out.

There are some lovely councillors in the Labour Group, but the problem is that there is absolutely no leadership when it matters and if the ruling clique control everything people will say nothing. This is because the idea that you may not get that portfolio/ committee Chair or worst of all not be reselected as a councillor is unthinkable. The manoeuvring and machinations employed to regularly try to oust the Leader together with when the Leader decides which portfolio holders are losing their positions and which ones are now going to be in favour has often left me feeling that if as much effort went into looking after our residents, they would be much better served by our Group. Too few councillors realise we are there to serve the residents, it is not about status and not just about running round with our lanyards calling ourselves Councillor X and posing for endless photo opportunities.

I never put myself forward for a portfolio, I simply did not have the time and I'm proud to say that despite the increasingly frantic and disproportionate attempts of some councillors to shut me up their attempts to bring pressure to bear on me to stop what I was doing did not work. I continued to stand up for the residents when their issues were certainly not aligned with those of the Leadership, and this is continuing to this day. I work as a family law barrister, and I represent some of the most disadvantaged and vulnerable in our society and I am not going to be bullied into submission by a few councillors who like the status quo and do not want anyone trying to fight for the residents if it does not accord with their views on a particular issue.

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Our Labour Group will not do anything that may involve a risk to a councillor's position in the Group. Instead, the Group engages in gesture politics, including wearing something red to a Group meal in aid of Women's Aid but then saying absolutely nothing about female councillors within their own group who are being subjected to misogynistic behaviour.

Recently the Group had a Corporate Parenting training session where we talked about how we should care for the children in our town who have been removed from their parents' care, (which is of course immensely important, and these children deserve to be looked after well). In this meeting certain Labour councillors were very animated about what we could do for these children, we must be aspirational and show leadership and we should be mentors and role models. These same councillors were aware that bullying and misogyny was continuing within our Group and yet they would do

nothing to try and address this. I believe that it is also incumbent upon us to put our own house in order.

My main concern is that in our Labour Group there are attempts to actively prevent you from advancing the causes and issues the residents come to you for help with. You don't choose which issues the residents will raise with you, but you do choose whether you will fight their corner without fear or favour, or whether you will just make enough of an effort to look as if you have tried to promote their cause.

I tried to change things and I was prepared to stay for another four years as you cannot change things from the outside. I stood up for the residents, I didn't turn my head when I saw their rights being flouted and I didn't tolerate what I knew was wrong.

Indeed, I believe that if you are in a position such as a councillor and you know things are being done that are not appropriate by other Labour councillors whether on your planning committee or in the Group regarding bullying and misogyny it's your duty to speak out and call it out and to try and change it.

I've read on the BBC website that I am standing as an Independent, that's not true, I'm sitting as an Independent councillor, but I will not be standing as an Independent in the May council elections.

My head is held high, I stood up for the residents and my conscience is clear. When I was elected in May 2019 I promised to promote and safeguard their interests and I have done this. For every negative there is a positive and I will not have to read any more emails starting "Dear Comrade" and ending "In Solidarity" from certain people who could not display more uncomradely behaviour if they tried. I did my best and now I no longer must be part of the Orwellian dystopia which is the Luton Labour Group."

15th paragraph - Duplication and lack of evidence.

We ask if biased, misleading statements, an overwhelming amount of duplication and non evidential material written to support the application, is classed as unreasonable behaviour?

Evidence OFH g This is evidenced by the Open Spaces documents, and also the lack of knowledge of the **Evidence OFH f** 17/02300/EIA Airport Way - Century Park Application which was permitted on 29 June 2021 and detailed in more than one application document. [This highlights 'mistrust' of a company proposing to be a 'good neighbour'.](#)

-Evidence OFH g 'Table 2.3 Comparing Overall Significance and Table 2.1 Overall Significance.' (Like Chalk and Cheese).

- Evidence OFH f. Document 000827 5.12.2 'An additional 125 bedroom hotel, document 001117 7.5.39 An additional 145 bedroom hotel.'

Susceptible Aviation and slow recovery.

Another constructive challenge adding to our statement in the 20th paragraph, we accept that both LR and ourselves have not been able to model the recent numbers of wild fires reported around the world attributed to global warming. We ask that models reflecting passenger growth are additionally forecasted to take into account the risk of flying to those destinations.

We can also see the possibility where billions of incoming passengers from populations escaping countries no longer fit to sustain human life due to global warming, evacuate to Luton as a result of worldwide airport expansion.

Evidence RR ah 23rd paragraph, LR, LBC and National Planning definition of the word "local".

In addition, the words, "neighbouring" and "community" are being used to represent many unspecific different things such as found in the document 6.01 Consultation Report Revision 1 and we ask for clarity.

Evidence RR ah. What is the true definition, of "local" in National Planning Law. Its use and meaning varies depending what Luton Rising, Luton Borough Council, residents and groups such as ours want it to mean. SLAE ask that all references using the word 'local' be removed from the DCO application and all referenced material, or that the context is explained and easily understandable in meaning.'

And finally did you hear the bird song in the County Wildlife as mentioned at the beginning of our statement?