



Meeting note

Project name	Luton Airport
File reference	TR030001
Status	Final
Author	The Planning Inspectorate
Date	20 June 2018
Meeting with	London Luton Airport Ltd (LLAL)
Venue	LLAL offices, Luton
Meeting objectives	Project update meeting
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

A site visit of the land surrounding the Luton Airport site was conducted before the meeting to enable the Inspectorate to view the area that is to be subject to a future Scoping Opinion request. The Applicant, who accompanied the Inspectorate, curated a circular itinerary that stopped at the following locations: Luton Airport; Wigmore Valley Park; the Chiltern Way long distance path at Darley Road; Winchhill Farmhouse listed building; Winchhill Wood and Someries Castle Scheduled Monument.

Non-statutory consultation

The Applicant explained that following an options sifting exercise, four options had been identified to form the basis of its non-statutory consultation. Three options, including its preferred option, involved expansion to the north-east of the airport, and one option consisted of expansion to the south of the Airport. The Applicant noted that expansion to the north-east was the emerging preferred option based on the sifting process undertaken.

The Applicant stated that non-statutory consultation was set to commence on 25 June 2018 and outlined the various methods of consultation that were planned. These included 17 consultation events, 40,000 letters to stakeholders, a social media campaign and a brochure that, amongst other things, set out the sift process that had been applied to narrow the long list of potential options to the four short-listed options that were being presented in the non-statutory consultation.

The Applicant provided an overview of the consultation brochure that had been prepared, noting a shorter, more focused version would also be available, as part of the suite of consultation documents. The documents will be made available on the project website and at the consultation events/ deposit locations. The Inspectorate advised that

it does not routinely comment on non-statutory consultation but raised a number of points of consideration for the Applicant's subsequent statutory consultation. The Inspectorate advised that the Applicant should consider providing clarity in their statutory consultation material regarding their role as Applicant and owner of Luton Airport and their role/ relationship as the host local authority (Luton Borough Council), given that LLAL is a wholly owned subsidiary of Luton Borough Council. The Applicant noted this and highlighted that it was meeting with the bordering local authorities to introduce the brochure prior to launching.

The Applicant provided a brief update on the other developments that formed part of the airports expansion – Luton Direct Air to Rail Transit (DART), New Century Park and Bartlett Square – which do not form part of the Development Consent Order (DCO) application, but are identified in the consultation material. The Inspectorate emphasised the importance of clarifying what was to be applied for within the DCO application/ NSIP regime and what would be delivered through other regimes. The Applicant stated that the non-statutory consultation brochure included an appendix which provides an update on the other developments, to separate these from the DCO application information in the main body of the brochure.

The Inspectorate acknowledged the section within the brochure that set out an overview of the PA2008 process and associated timescales. The Inspectorate advised that it would be helpful if the section explained that the Inspectorate must first accept the application formally for Examination before there is an opportunity for written submissions.

The Applicant noted that it would be encouraging electronic responses at the consultation events during the non-consultation phase; however, a mix of electronic and paper responses were expected and noted the deadline to respond by was 31 August 2018. The Applicant provided a brief outline on how the non-statutory consultation responses would be processed.

The Applicant explained that although the current cap was 18 million passengers per annum (MPPA), the airport's runway as it stands was capable of providing some additional capacity; the consented DCO application would enable the Applicant to utilise the maximum of the current runway, and with additional infrastructure, to increase capacity to 36 to 38 MPPA.

The Inspectorate queried whether the Applicant intended to include a level of flexibility in their DCO application or whether the chosen option would be fixed. The Applicant confirmed that it intended to have a preferred option for statutory consultation; however it would be seeking some flexibility over the detailed implementation of the scheme. It wanted to conduct a robust statutory consultation and would review all responses appropriately. The Inspectorate advised that it should clearly set out how regard was taken to the responses in the Consultation Report.

Environmental update

The Inspectorate queried when the Applicant would be submitting its Scoping request. The Applicant explained that it had originally wanted to Scope earlier in 2018, but opted to delay until after non-statutory consultation to enable the key statutory consultees response to influence the Scoping Report (SR); a new Scoping date of quarter four 2018 was noted. The Inspectorate queried whether the SR would set out the Applicant's

approach to flexibility, should this be sought in a DCO application. The Applicant stated that it expected to assess a preferred option by the time the Environmental Statement (ES) is written and an application made; however, flexibility would be clearly explained if one option or particular elements of the project are not fixed.

The Applicant explained it was in the process of preparing a technical strategy for engaging with key statutory consultation bodies in order to receive feedback on completed and proposed survey work and noted it would have completed a full ecological season of surveying prior to submission of the SR. The Applicant outlined the contact they have had to date with key statutory consultation bodies such as Historic England, Public Health England, Natural England and the Environment Agency and noted ongoing discussion with some of the relevant local authorities, including with regards to noise assessment methodology.

The Applicant provided an overview of the survey undertaken to date and proposed, which included: NO_x monitoring, noise baseline monitoring, heritage, agricultural land, Public Rights of Way, and ecology surveys (the latter including bat, reptile, dormice, hedgerows, wintering and breeding birds, great crested newt and invertebrates surveys). The Applicant highlighted its Phase 1 habitat survey was in the process of being completed and noted that it was also looking into preparing its traffic model.

The Inspectorate referred to the 2017 Environmental Impact Assessment (EIA) Regulations¹, noting the requirement to consider climate change, effects/ risks to human health and the risk of major accidents and/ or disasters. The Applicant noted that these assessments would be provided within the ES.

The Inspectorate queried whether the Applicant was considering any Habitat Regulations Assessment (HRA) matters. The Applicant believed it would not need to produce an HRA report at present, given the absence of potential effect pathways from the proposed development to European sites; however, HRA screening would be undertaken.

Next steps

The Applicant noted that subject to satisfactory progress it was currently planning to commence Statutory Consultation in early June 2019 ahead of an anticipated submission date of quarter four 2019.

The Inspectorate advised that it could review draft documents prior to submission, including (amongst other things) the draft DCO and Explanatory Memorandum, Consultation Report, Book of Reference, HRA report (if required), and the project description and assessment approach in the ES.

It was agreed that the next meeting should be scheduled after Scoping had been completed, to provide any clarification on the adopted Scoping Opinion, and prior to statutory consultation. Both parties agreed to remain in contact going forward.

¹ The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

Specific decisions/ follow-up required?

The following actions were agreed:

- The Applicant to provide a link to the non-statutory consultation documents once published.