



**TOWN AND COUNTRY PLANNING ACT 1990
(As Amended)**

**TOWN AND COUNTRY PLANNING (INQUIRIES
PROCEDURE) (ENGLAND) RULES 2000**

**APPEAL BY BRISTOL AIRPORT LIMITED PURSUANT TO SECTION 78 OF THE
TOWN AND COUNTRY PLANNING ACT 1990 AGAINST THE DECISION OF
NORTH SOMERSET COUNCIL TO REFUSE TO GRANT OUTLINE PLANNING
PERMISSION, WITH SOME RESERVED MATTERS INCLUDED AND OTHERS
RESERVED FOR SUBSEQUENT APPROVAL, FOR THE DEVELOPMENT OF
BRISTOL AIRPORT, NORTH SIDE ROAD, FELTON, WRINGTON, BS48 3DP**

**PLANNING OBLIGATIONS
COMPLIANCE STATEMENT
30 SEPTEMBER 2021**

P LANNING INSPECTORATE REFERENCE: APP/D0121/W/20/3259234

NORTH SOMERSET COUNCIL REFERENCE: 18/P/5118/OUT

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Introduction

This statement updates the draft Planning Obligations Compliance Statement dated 9 July 2021. This arises because an updated draft Section 106 Agreement dated 29 September 2021 was submitted to the Inquiry on that day. Numerous planning obligations in the previous (early) draft S106 Agreement submitted to the Inquiry have now been removed because they are not agreed between NSC and BAL. This updated Compliance Statement responds to the updated draft S106 Agreement dated 29 September 2021 and it should be read alongside it.

BAL have submitted a Unilateral Undertaking (UU) to the Inquiry for planning obligations that are not agreed by the Council. This statement does not comment on the UU, but it is noted that the version of the UU submitted to the Inquiry by BAL on 29 September 2021 (attached in an email to the Programme Officer at 18:11pm) is a marked up version which includes the Council's comments.

Legislative Framework

1. The legislative framework for planning obligations is set out in section 106 of the Town and Country Planning Act 1990 and regulation 122 of the Community Infrastructure Levy Regulations 2010 ("the CIL Regulations"). Government Policy on planning obligations is set out in paragraphs 55-58 of the NPPF.
2. Regulation 122(2) of the CIL Regulations states that a planning obligation: "*may only constitute a reason for granting planning permission for the development if the obligation is—*
 - (a) *necessary to make the development acceptable in planning terms;*
 - (b) *directly related to the development; and*
 - (c) *fairly and reasonably related in scale and kind to the development.*"
3. Paragraph 55 of the NPPF says: "*Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition*". Paragraph 57 of the NPPF emphasises that planning obligations must only be sought where they meet all tests in Regulation 122(2) of the CIL Regulations.

The Development Plan

4. Policy CS34 ('*Infrastructure delivery and development contributions*') of the North Somerset Core Strategy and Policy DM71 ('*Development contributions, Community Infrastructure Levy and viability*') of the North Somerset Sites and Policies Plan Part 1 (Development Management Policies) set out the requirement and mechanism to seek developer contributions to mitigate the impacts of a development proposal.

5. Policy CS34 says development contributions will be collected through Section 106 agreements or through a Community Infrastructure Levy. Policy DM71 says: *“Section 106 Agreements will be sought in line with the appropriate regulations and will seek to deliver or address matters that are necessary to make the development proposal acceptable in planning terms and to ensure that new development is supported by the necessary investment in and/or provision of infrastructure and services to meet any additional demand.”* Policy DM71 repeats the planning obligations tests set out in paragraphs 2 and 3 of this statement.
6. The Council's *‘Development Contributions’* Supplementary Planning Document January 2016 adds further detail to implement policies CS34 and DM71.¹
7. While policies CS34 and DM71 are the basis and mechanism to secure planning obligations, other planning policies from the development plan apply to subject-specific matters and the requirements that are necessary to make the development acceptable in planning terms.
8. The planning obligations in the final draft Section 106 Agreement comprise the following topics:
 - Transport and Travel including parking
 - Highway Improvements and works
 - Environmental and Social mitigation including air quality, noise, skills and employment.
9. The following planning policies from the development plan are relevant to the consideration of sub-sections (a) and (b) of Regulation 122(2) of the CIL Regulations.

North Somerset Core Strategy (CS)

- | | |
|------|-------------------------------------------------|
| CS1 | Addressing climate change and carbon reduction |
| CS3 | Environmental impacts and flood risk management |
| CS10 | Transport and movement |
| CS11 | Parking |
| CS20 | Supporting a successful economy |
| CS23 | Bristol Airport |

Sites and Policies Plan Part 1: Development Management Policies (DMP)

- | | |
|------|----------------------------------------------------------------|
| DM24 | Safety, traffic and infrastructure associated with development |
| DM26 | Travel plans |

¹ <http://apps.n-somerset.gov.uk/cairo/docs/doc27090.pdf>

DM29	Car parks
DM50	Bristol Airport
DM70	Development infrastructure

10. The Council's Community Infrastructure Levy (CIL) became operational on 18 January 2018. This application does not however trigger any CIL tariffs. All proposed planning obligations are therefore sought under a Section 106 Agreement.

Summary of Planning Obligations – Heads of Terms

11. The table below summarises the planning obligations that are included in the Section 106 Agreement. Appendices 1 to 3 inclusive of this statement provide an in-depth justification of the Council's case for each planning obligation to demonstrate compliance with Regulations 122 of the Community Infrastructure Levy (CIL) Regulations 2010 and Government Policy on planning obligations as set out in Paragraphs 55-58 of the NPPF 2018.

Table showing Heads of Terms for planning obligations in final draft Section 106 Agreement

Obligations relating to Transport & Travel
<p>Workplace Travel Plan</p> <p>Within six months of the Effective Date the Owner shall submit the Workplace Travel Plan to the Council for approval which must include a commitment to achieve a stretch modal share target of 30% of employees using sustainable travel upon the air passenger throughput reaching 12mppa and monitoring of progress to achieve this through annual employee travel surveys. The Owner will comply with and operate the Airport in accordance with the approved Workplace Travel Plan which shall include proposals for an Employee Travelcard Scheme that applies to all employees working at the Airport to promote and encourage their use of sustainable transport modes</p>
<p>Drop off zone review</p> <p>The Owner covenants that it will undertake a review of Drop Off Zone (DOZ) charges which will:</p> <ul style="list-style-type: none"> • consider the impact of drop-off trips on the transport network; • promote the Transport Mode Hierarchy within the ASAS; and • seek to move as many people as possible higher up the hierarchy.
<p>Parking controls</p> <p>An ongoing commitment to deliver local parking controls. BAL to provide funding, resources and coordinate discussions with local parish councils and stakeholders, with NSC (as the Highway Authority) to lead on the implementation and delivery of Traffic Regulation Order (TRO) measures. This will have the effect of targeted parking restrictions in roads and</p>

laybys where impacts are harmful. The geographical area and precise locations will need to be agreed with NSC. BAL shall also contribute £225,000 to fund a new, dedicated NSC airport parking and enforcement officer over 5 years.

Traffic Monitoring

Upon the 10mppa Trigger Date the Owner will undertake a programme of traffic surveys to monitor traffic levels at the locations specified in paragraph 8.3.

The traffic surveys referred to in paragraph 8.1 shall commence within 6 months of passenger numbers exceeding 10mppa and, unless otherwise agreed with the Council, shall be repeated every two years or, where annual growth exceeds 0.5mppa, shall be undertaken on an annual basis.

The traffic surveys referred to shall be undertaken in accordance with a full monitoring plan to be agreed with the Council which will require surveys to be undertaken at the following locations (unless otherwise agreed with the Council):

- Bristol Airport site access junctions;
- A38 Barrow Street signal junction;
- A38 Churchill signal junction (if required following capacity analysis work in 2019);
- B3130 Chew Valley route (locations to be agreed).

The Owner will provide the results of such traffic surveys to the SASG in order to inform decisions by the SASG on potential highway improvements and any such highway improvements proposed to be undertaken by the SASG due to the results of the traffic surveys shall only be undertaken if they can be funded by the Highways Improvement Fund.

Public Transport Interchange

Within 9 months of the Effective Date the Owner shall submit details of a Public Transport Interchange (PTI) to the Council for approval (if the details are different from those granted under planning permission 09/P/1020/OT2) and, subject to securing all necessary consents and approvals, the Owner shall:

- complete the PTI and ensure that it is fully open and operational prior to the airport exceeding 10 mppa.

If the PTI approved under the 10mppa Planning Permission is carried out, the PTI will be fully open and operational by the 10mppa Trigger Date.

Highway works

Schedule 3 of the draft S106 Agreement is concerned Highway Improvement Works. They key elements are

- Until completion of the A38 Highways Works the Owner shall safeguard the A38 Highways Works Land within its control for the purposes of the A38 Highways Works

- The Council and the Owner will establish an A38 Highways Works Group and agree the A38 Highways Scheme, payment schedules and agree who will undertake the A38 Highways Works no later than 31 July 2022.
- Subsequent clauses are concerned with timing/phasing, land transfer, step-in rights, justifying construction sums and the timing of payments to enable the works to be carried out in a timely manner including preparatory works.

Obligations relating to Air Quality

The owner will continue to comply with current Air Quality Action Plan (AQAP), monitor current air quality data and report on its findings in the Annual Report.

If the results of the monitoring in the Annual Report identify any exceedances of an applicable air quality criteria, the Owner shall carry out investigate the causes and exceedances remedy this through a mitigation plan.

Within 6 months of the granting of planning permission the Owner will submit to the Council for the Council's approval a draft Air Quality Action Plan (AQAP) in relation to the continuing operation and development of the Airport which sets out clear, measurable actions in order to provide air quality benefits at the Airport.

Air Noise

A Revised Noise Control Scheme will be prepared by BAL in consultation with NSC and the Flight Operations Committee no later than 6 months after the commencement of development.

The Revised Noise Control Scheme will be implemented within 12 months of the commencement of development, with details of progress and monitoring data captured within the Annual Operations Monitoring Report.

A verification report will be submitted to NSC that will identify the input data, the methodology and the output data used to calculate noise contours and recommend the appropriate calculation procedure for producing the noise contours. The report will be submitted to NSC for approval prior to publication. The report shall then be published subsequently at three yearly intervals as soon as reasonably practicable following the publication of the relevant Annual Operations Monitoring Report.

Ground Noise

An updated Ground Noise Management Strategy (GNMS) will be submitted within 6 months of the commencement of the development. The Ground Noise Management Strategy will identify measures to minimise the levels and impacts of ground noise at the airport and will form a component of the Bristol Airport Noise Action Plan. Measures will include operational and procedural controls on the ground running of aircraft. This shall include:

- Measures to reduce noise from pre-flight servicing / checks of the aircraft while stationary at aircraft stands;

- Measures to reduce and phase out the use of mobile diesel generators, through fixed electrical ground power (FEGP) and any transitional arrangements towards FEGP at all aircraft stands;
- Measures to reduce aircraft engine noise while aircraft are taxiing
- Identification of key performance indicators for monitoring ground noise management.
- The installation of a permanent ground noise monitor which will be situated on the airport site at a location to be agreed with NSC.

Implementation of the Ground Noise Management Strategy (GNMS) will commence within 6 months of the Strategy being agreed by reviewing, producing, maintaining and enforcing standing instructions in relation to activities covered by the GNMS and using reasonable endeavours to procure the implementation by aircraft operators of the Ground Noise Management Strategy, including pursuing follow up action with the operators of aircraft that disregard the standing instructions subject to constraints of safety. Progress of the Ground Noise Management Strategy will be reported through the Annual Operations Monitoring Report.

Skills and Employment Plan (SEP)

A (SEP) will be submitted to NSC for agreement within 6 months of the commencement of development. The Skills and Employment Plan will be aimed at achieving the delivery of employment opportunities for residents of North Somerset and adjoining areas. It shall comprise the following:

- A 'Construction Phase Local Labour Agreement and Action Plan'. This shall consist of a local labour agreement and action plan, bound by the principles of the 'Construction Training Industry Board (CITB) Client Based Approach', relating to the construction phase of the development.
- An 'Achieve Programme' to deliver employment and skills interventions and a programme of activities with education providers relating to the operational phase of the development. This will include a financial contribution of up to a maximum of £300,000 to commission a specialist employment support provider to deliver a suite of employment and skills interventions which would support residents to access end use/ operational phase jobs. The timing of the payment and associated work will need to be agreed. The fund will be held jointly and administered by BAL and NSC.
- An 'Operational Phase Education Programme'. This will require BAL to engage with the education sector from primary level through to university and develop opportunities for young people and adults to access employment at Bristol Airport. Details of its timing and a review will need to be agreed.
- A 'Monitoring Programme'. This will set out the agreed key performance indicators against which the implementation of the Skills and Employment Plan will be monitored.

Contributions - Definitions and Interpretations

Public Transport Fund

Subject to the Effective Date having first occurred, the Owner covenants to pay a fixed sum of £155,000 annually until 10mppa into the Public Transport Fund established under the 10mppa S106 Agreement to provide a transition from the 10mppa S106 Agreement to a new "Public Transport Improvement Fund" governed under this Agreement.

Payments made out of the Public Transport Fund to be spent at the direction of the SASG.

Public Transport Improvement Fund

From the 10 mppa trigger date the owner covenants to make available a fixed sum of £875,000 to be drawn down by the SASG through the Public Transport Improvement Fund.

Metrobus Contributions

The owners covenant to pay the Metrobus Contribution to provide a fund for measures identified Metrobus Service Integration and Network Improvements feasibility study.

Highways Improvement Fund

The Owner covenants to pay a fixed sum of £200,000 to the Highways Improvement Fund to provide a fund for necessary highway improvements to the local network serving the Airport identified as part of the Traffic Monitoring Plan.

Any payments made out of the Highways Improvement Fund must be spent at the direction of the SASG. Any payments made will be repaid if not spent within 10 years of the date of payment.

Feasibility Study for the A370/SBL

The Owner covenants that it will within six months following the 10mppa Trigger Date pay £50,000 to the Council towards a feasibility study for future strategic improvements at the A370 junction with the South Bristol Link.

Parking Controls

The owner covenants that within six months of the Effective Date to pay to the Council the Parking Enforcement Officer Contribution PROVIDED THAT in the event any part of the Parking Enforcement Officer Contribution paid to the Council is not spent for the purposes provided for within 5 years of the date of payment that part shall be repaid to the Owner.

WECA Mobility as a Service Platform

The Owner covenants that within six months of the effective date to pay to the Council the WECA MaaS Platform Contribution. To be repaid if not spent within 10 years of the date of payment.

Airport Environmental and Amenity Improvement Fund (AEAIF)

The Owner covenants that within 12 months of the Effective Date to contribute £100,000 to the AEAlF. The AEAlF shall be used for the purposes of mitigation to address unforeseen adverse environmental impacts or adverse impacts on the amenity of the local community arising from the Development.

The Owner covenants to pay on an annual basis a fixed amount of £100,000 per annum for 9 further years from the date of the first payment which sum shall also be held with the AEAlF.

Justification for Planning Obligations

Appendices 1 to 3 set out the heads of terms and justify these having regard to the tests of Regulation 122(2) of the CIL Regulations. Each appendix sets out a proforma completed by the relevant service area within the Local Planning Authority.

- | | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Appendix 1 | This applies to Schedules 2 and 3 of the final draft Section 106 Agreement and justifies the planning obligations in respect of Transport, Travel, Parking and Highway Works respectively. |
| Appendix 2 | This applies to Schedule 4 of the final draft Section 106 Agreement and justifies the obligations in respect of Air Quality and Noise. |
| Appendix 3 | This also applies to Schedule 4 of the final draft Section 106 Agreement and justifies the obligations in respect of a Skills and Employment Plan. |

Appendix 1: Transport, Travel, Parking and Highway Works

Section 1: Application details
Planning Appeal Reference: APP/D0121/W/20/3259234 North Somerset Council Reference: 18/P/5118/OUT
Section 2: S106 obligations
1. Summary of requirements <ol style="list-style-type: none">1. Fixed annual sum of £140,000 (index linked) to be paid into the Public Transport Fund (PTF) until 10mppa.2. Convene Bristol Airport Travel Forum BATF within 3 months of the effective date and on a bi-annual basis, and to convene related working groups as necessary.3. Agree new methodology to measure Public Transport Modal Share (PTMS) with an annual growth in PTMS forming part of the ASAS.4. Submit a workplace Travel Plan within 6 months of the UPD to include a modal share target of 30% of Bristol Airport based employees travelling to/from the airport by sustainable travel modes to be achieved by 12mppa.5. Secure the delivery of highway improvements and works to mitigate the impacts of extra traffic on the highway network as a result of the development.
2. Reason for Section 106 requirements:
(a) Details of the impact of the proposed development on transport, travel, parking and highway works: <p>Policy CS10 ('Transportation and Movement') of the North Somerset Core Strategy expects strategic development proposals to improve the transport network and enable a wide choice of travel modes. Developments should also enhance pedestrian and cycle facilities; deliver better public and rapid transport services and mitigate increased traffic impacts, such as road congestion, capacity and road safety. Policy DM24 of the North Somerset Sites and Policies Plan ('Safety, traffic and provision of infrastructure') has similar objectives. Policy CS23 of the Core Strategy and policy DM50 of the Sites and Policies Plan, which both apply to 'Bristol Airport' says development proposals should improve surface access.</p> <p>Without mitigation through planning obligations the development would have adverse impacts on sustainable travel to/from the airport and it would increase the likelihood of more passengers travelling to/from the airport by private vehicle. This would adversely impact the capacity and safety of the local highway network. This would also increase vehicles waiting and parking off-site, including at temporary car parks and on-street in local villages. Temporary off-site car parks are often in unsuitable locations, with narrow rural roads and poor accesses, and are harmful to the local community. If attractive and competitively priced public transport is not provided, temporary car parks become more desirable. Temporary car parks often</p>

involve a reception centre close to the airport, and the vehicles are then moved to satellite sites. This can result in multiple vehicle journeys, per car parked. This is unsustainable and gives rise to a range of adverse effects, including on the environment and the local community.

Increased pressure on the existing public transport provision from extra passenger and staff journeys. Unless public transport network improvements keep pace with passenger growth, the capacity and choice will not be available, and this will result in more car journeys.

To provide a high quality and joined-up public transport offering, the Public Transport Interchange (PTI) is required. The PTI will bring together services into a single, easily accessible location. The PTI is an essential mechanism for securing a modal shift in travel to Bristol Airport and the achievement of greater levels of public transport usage.

(b) Evidence that there is insufficient capacity or funding in the existing services and facilities to accommodate the needs of the proposed development:

Highway network improvements

The highway budget is fixed, and additional spending on road capacity and sustainable transport infrastructure around the airport will result in other lower priority, but necessary highway improvement work elsewhere in the district not being done. The network improvements that will be funded by S106 contributions are required to mitigate the impacts of extra traffic that would be generated as a result of the proposed development.

Bus services

Budgets for Supported Bus Services across North Somerset and beyond are fully committed to providing essential services to isolated communities that are not well served by the offerings of the commercially operated bus network.

The proposed public transport improvements as part of the ASAS will allow for an enhancement of these services, offering a greater frequency of both the primary journeys and into the connectional opportunities across the wider bus and rail networks.

Without the proposed improvements, an attractive level of service cannot be supported or effectively marketed to staff and passengers of the airport, resulting in increased car and taxi/private hire journeys. This is not in the interests of sustainable travel.

Parking controls

Resourcing in planning and parking enforcement teams are fully committed within existing workloads. Additional monitoring and other work streams related to airport parking through the airport expansion will be at the expense of necessary work elsewhere in the district being reduced or not carried out.

Feasibility study for the A370/SBL

Council budgets for transport studies are fully committed, and additional airport work will result in lower priority, but essential work elsewhere being left undone.

WECA Mobility as a Service Platform

NSC's Rural Mobility Funding bid was unsuccessful and therefore no alternative funding is available for Demand Responsive Transport Services to the airport as part of the Future Transport Zone.

3. Details of requirements:

a) detailed requirements

1. Surface Access Steering Group (SASG) and Bristol Airport Transport Forum (BATF).
 - 1.1 The Owner will facilitate the establishment of the SASG by nominating one representative of the Owner and inviting the Council to nominate a representative to be a SASG member and to constitute the SASG within three months of the effective Permission Date.
 - 1.2 Upon the grant of planning permission the Owner shall establish a Public Transport Improvement Fund for the purposes set out and shall agree transitional arrangements with the SASG for the management of funds under the 10mppa S106 Agreement and this Agreement.
 - 1.3 The Owner covenants that it will convene the BATF within three months of the effective date to meet on a bi-annual basis and to convene related working groups where necessary reporting back to the BATF on a regular basis
2. **PUBLIC TRANSPORT FUND**
 - 2.1 Subject to the Effective Date having first occurred, the Owner covenants to pay a fixed sum of £140,000] and a further fixed sum of £140,000 annually (up to 10mppa) into the Public Transport Fund established under the 10mppa S106 Agreement to provide a transition from the 10mppa S106 Agreement to a new "Public Transport Improvement Fund" governed under this Agreement.
 - 2.2 Any payments from the Public Transport Fund must be spent according to the direction of the SASG in order to provide public transport improvements to the network serving the Airport including but not limited to:

- 2.2.1 the development of new routes in addition to those identified in Schedule 2;
 - 2.2.2 the provision of services at an increased frequency on existing routes;
 - 2.2.3 increases in the quality of provided public transport services;
 - 2.2.4 bus priority measures;
 - 2.2.5 passenger interchange improvements;
 - 2.2.6 improved passenger information;
 - 2.2.7 improved ticketing;
 - 2.2.8 technological innovations and improvements; and
 - 2.2.9 trial of demand-responsive services.
- 2.3 From the 10mppa Trigger Date, the Owner covenants to make available a fixed sum of at least £875,000 (index linked) to be drawn down by the SASG through the Public Transport Improvement Fund Provided That funding shall be available on a kick-start basis only, with continuing funding for service improvement subject to viability.
- 2.4 Any payments made out of the Public Transport Improvement Fund must be spent according to the direction of the SASG to bring forward improvements to public transport services and infrastructure at the Airport in order to contribute towards modal shift to public transport services, including but not limited to:
- 2.4.1 Improvements to the Bristol Temple Meads interchange
 - 2.4.2 Worle Station Improvements (study)
 - 2.4.3 Bus/rail information/ticketing integration
 - 2.4.4 Bath Spa interchange improvements
- 2.5 In the event any part of the Public Transport Fund or the Public Transport Improvement Fund paid to the Council is not spent for the purposes provided for within 10 years of the date of payment that part shall be repaid to the Owner together with any interest accrued within 14 days from the expiry of that 10 year period.
- 2.6 Delivery of service improvements, through enhanced timetables and/or greater network coverage, to the current express coach service routes to South Wales and to Somerset/Devon. Delivery of infrastructure improvements to the routes. BAL to produce a feasibility study in liaison with

the service operators and local authorities to determine the measures and design.

- 2.7 A budget of £200,000 will be made available to cover both potential service and infrastructure improvements, to be managed and allocated by the steering group. This budget would be evenly distributed across the South Wales and the Somerset/Devon routes.
- 2.8 Multi-modal pricing review to be completed within six months following consent with the scope and methodology to be agreed with NSC. Aim is to ensure options higher up the modal hierarchy are supported and enabled financially through cost comparison analysis to be made available to passengers when booking parking.
- 2.9 A local community concessionary fare system for residents within BS40, BS48 and BS49 postcodes which provides a discount of at least 50% on the published fare for the Bristol Flyer and includes a detailed marketing plan to raise awareness of the local community concessionary fare arrangements in the local community, which shall be retained as long as the Bristol Flyer service or any such replacement of this service is in operation.

3. METROBUS CONTRIBUTION

- 3.1 In the event that measures are identified by the Metrobus Service Integration and Network Improvements feasibility study for implementation, the Owner covenants that it will pay the Metrobus Contribution [to the Public Transport Improvement Fund to be held in an interest bearing account jointly by the Owner and the Council and to be administered by the SASG] PROVIDED THAT in the event any part of the Metrobus Contribution paid by the Owner is not spent for the Metrobus Improvements within 10 years of the date of payment that part shall be repaid to the Owner together with any interest accrued within 14 days from the expiry of that 10 year period.

4. HIGHWAYS IMPROVEMENT FUND

- 4.1 [Upon the 10mppa Trigger Date] the Owner covenants that it will pay sum of at least £200,000 (index linked) to the Highways Improvement Fund [to be held in an interest bearing account jointly by the Owner and the Council and to be administered by the SASG] to provide a fund for necessary highway improvements to the local network serving the Airport identified as part of the [Traffic Monitoring Plan].
- 4.2 Any payments made out of the Highway Improvement Fund must be spent according to the direction of the SASG in order to provide a fund for necessary highway improvements to the local network serving the Airport and in the event any part of the fund is not spent for the proposes provided for within 10 years of the date of payment that part shall be repaid to the

Owner together with any interest accrued within 14 days from the expiry of that 10 year period.

5. FEASIBILITY STUDY FOR THE A370/SBL

- 5.1 The Owner covenants that it will within six months following the 10mmpa Trigger Date pay at least £50,000 (index linked) to the Council towards a feasibility study for future strategic improvements at the A370 junction with the South Bristol Link.

6. PARKING CONTROLS

- 6.1 The Owner covenants with the Council within [six months of the Effective Date to pay to the Council the Parking Enforcement Officer Contribution PROVIDED THAT in the event any part of the Parking Enforcement Officer Contribution paid to the Council is not spent for the purposes provided for within 5 years of the date of payment that part shall be repaid to the Owner together with any interest accrued within 14 days from the expiry of that 5 year period.

7. WECA MOBILITY AS A SERVICE PLATFORM

- 7.1 The Owner covenants with the Council within [six months of the Effective Date], to pay to the Council the WECA MaaS Platform Contribution PROVIDED THAT in the event any part of the WECA MaaS Platform Contribution paid to the Council is not spent for the proposes provided for within 10 years of the date of payment that part shall be repaid to the Owner together with any interest accrued within 14 days from the expiry of that 10 year period.
- 7.2 The Council covenants that upon receipt of the WECA MaaS Platform Contribution it shall pay that contribution to WECA or to such appropriate fund as is stipulated by WECA to be applied to the development of the WECA Mobility as a Service platform for regional implementation, including at the Airport.

8. WORKPLACE TRAVEL PLAN

- 8.1 Within six months of the effective Permission Date the Owner shall submit the Workplace Travel Plan to the Council for approval which must include a commitment to achieve a stretch modal share target of 30% of employees using sustainable travel upon the air passenger throughput reaching 12mppa and monitoring of progress to achieve this through annual employee travel surveys.
- 8.2 The Owner will comply with and operate the Airport in accordance with the approved Workplace Travel Plan which shall include proposals for an

Employee Travelcard Scheme that applies to all employees working at the Airport to promote and encourage their use of sustainable transport modes.

9. Monitoring

- 9.1 Upon passenger numbers exceeding 10mppa the Owner will undertake a programme of traffic surveys to monitor traffic levels.
- 9.2 The traffic surveys shall commence within 6 months of passenger numbers exceeding 10mppa and, unless otherwise agreed with the Council, shall be repeated every two years or, where annual growth exceeds 0.5mppa, shall be undertaken on an annual basis.
- 9.3 The traffic surveys shall be undertaken in accordance with a full monitoring plan to be agreed with the Council which will require surveys to be undertaken at the following locations (unless otherwise agreed with the Council):
- 9.3.1 Bristol Airport site access junctions;
 - 9.3.2 A38 Barrow Street signal junction;
 - 9.3.3 A38 Churchill signal junction (if required following capacity analysis work);
 - 9.3.4 B3130 Chew Valley route (at locations to be agreed); and
- 9.4 The Owner will provide the results of such traffic surveys to the SASG in order to inform decisions by the SASG on potential highway improvements and any such highway improvements proposed to be undertaken by the SASG due to the results of the traffic surveys shall only be undertaken if they can be funded by the Highways Improvement Fund.

10. PUBLIC TRANSPORT INTERCHANGE

- 10.1 Within 9 months of the Effective Date the Owner shall submit details of a Public Transport Interchange (**PTI**) to the Council for approval (if the details are different from those granted under planning permission 09/P/1020/OT2) and, subject to securing all necessary consents and approvals, the Owner shall:
- 10.1.1 complete the PTI and ensure that it is fully open and operational prior to the airport exceeding 10 mppa.
- 10.2 In the event that the PTI approved under the 10mppa Planning Permission is carried out, the PTI will be fully open and operational by the 10mppa Trigger Date.

11. A38 Works

- 11.1 A detailed highway mitigation scheme shown in principle on plan and as at the date here of C1124-SK-A38-010 Rev11.0 to be agreed between the Owner and the Council in accordance with Part 2 of Schedule 3.
- 11.2 The Owner shall safeguard the Highways Land within its control for the purposes of the A38 Highways Works only and shall not use the Highways Land for any other purpose unless otherwise agreed in writing with the Council.
- 11.3 The Council and the Owner shall use reasonable endeavours to agree the A38 Highways Scheme and a phased payment schedule for the Owner's Contribution as soon as reasonably practicable.
- 11.4 The Owner shall use reasonable endeavours to offer to enter into a licence agreement with the Council in respect of the Highways Land to enable the Council to undertake the A38 Highways Works: at nil cost to the council.
- 11.5 To include agreement under section 38 of the Highways Act 1980 that any part of the Highways Land which the Council and the Owner have agreed will form part of the publicly adoptable highway will be dedicated and adopted as publicly maintainable highway on completion of the A38 Highways Works; and with the Council's reasonable legal costs incurred in the negotiation, preparation and completion of any such licence to be met by the Owner; within the period of six (6) months following the grant of the 12mppa Planning Permission or such other period as may be agreed in writing with the Council.
- 11.6 The Owner shall use reasonable endeavours to enter into an licence agreement with the Council by 31 July 2023.
- 11.7 The Owner agrees not to cause or permit the passenger throughput at the Airport to exceed 10 million passengers in any 12-month period (to be taken from 1st January to 31st December unless a different 12 month start and end date is agreed); or commence or permit commencement of the development of any car parking authorised by the 12mppa Planning Permission; unless and until the A38 Highways Works have been completed in full and are open to traffic.
- 11.8 The Owner shall not undertake the A38 Highway Works or serve prior written notice on the Council in accordance with paragraph 11 unless and until:

the A38 Highways Scheme has been agreed between the Council and the Owner;

the Owner has offered to enter into a licence agreement with the Council in accordance with paragraph 4; and

either: a period of twelve (12) months following the offer to licence the Highway Land to the Council has passed and either: (a) the Council has not agreed to accept the licence; or (b) the Council has agreed to accept the licence but the licence agreement has not been completed; or the Council has agreed in writing that the Owner may undertake the A38 Highways Works.

(b) Explanation of how requirement(s) relates to the impacts of the development described in (2) above:

If surface transportation to the airport is not planned and managed in a strategic way, the impact will include the following;

- Unacceptable impact on the safety and operation of the highway network due to congestion, inappropriate off-site parking/ waiting, and further growth of un-official and temporary off-site car parks in unsuitable locations, giving rise to adverse effects on the environment and the local community.
- The existing public transport provision not growing at the pace required to keep up with rising passenger demand, leading to an unsustainable form of development with adverse effects on the environment and local community.

(c) When are the requirements needed?

- Convene Bristol Airport Travel Forum BATF within three months of the effective date.
- Provide a replacement ASAS within six months of the effective date.
- Multi-modal pricing review to be completed within 6 months following of the effective date.
- Within six months following the 10mmpa Trigger Date pay at least £50,000 (index linked) to the Council towards a feasibility study for future strategic improvements at the A370 junction with the South Bristol Link.
- Within six months of the effective date pay to the Council the Parking Enforcement Officer Contribution.
- Within six months of the effective date pay to the Council the WECA MaaS Platform Contribution.

(d) Who will deliver the requirement?

The airport owner and the Council

(e) What are the consequences if the requirement is not delivered?

Unacceptable impact on the safety and operation of the highway network due to a disproportionate increase in the percentage and number of passengers travelling to and from Bristol Airport by private vehicle resulting in congestion, inappropriate off-site parking/ waiting, and the likelihood of a further growth of un-official and/or temporary off-site car parks in unsuitable locations, giving rise to adverse effects on the environment and the local community.

The existing public transport provision not growing at the pace required to keep up with rising passenger demand, leading to an unsustainable form of development with adverse effects on the environment and local community.

(f) Summary of discussions and negotiations to date

A series of detailed discussions were held with multiple parties from both the Council and the developer. Negotiations took place for several months to come to a consensus on the proposed measures, timescales and costs. Since the discussions, the contributions have been revised due to increased costs to public transport provision and infrastructure delivery, including materials.

4. Strategic issues:

(a) Is this request included in the North Somerset Core Strategy Infrastructure Delivery Plan and / or capital programme? If so, what is its prioritisation?

A38/Downside Road Junction Improvement Scheme is included in the Capital Programme as part of the A38 major road network (MRN) scheme. Outline business case anticipated 2021/22, full business case 2022/23 and delivery 2023/24.

(b) If this application is for one part of a larger site: an indication of any requests you anticipate making for the rest of the site and how these relate to the current request:

N/A

(c) Any other comments:

N/A

5. Long-term sustainability:

Details of how the long-term sustainability of the infrastructure or service will be secured, e.g. who will manage the infrastructure / service? How will its long-term management and maintenance be funded?

The long-term sustainability will be managed by the Council.

Appendix 2: Noise and Air Quality

Section 1: Application details

Planning Appeal Reference: APP/D0121/W/20/3259234

North Somerset Council Reference: 18/P/5118/OUT

Section 2: S106 obligations

1. Summary of requirements:

Air Quality

- Continue to adhere to the current Air Quality Action Plan (AQAP) to monitor current air quality data and report on its findings in the Annual Monitoring Report (AMR).
- Operate an air quality monitoring programme for nitrogen oxides and fine particulate matter consisting of:
 - I. Continuous monitoring of oxides of nitrogen and fine particulate matter (PM10 & 2.5) at two appropriate fixed sites (one existing and one new location) to be agreed with NSC.
 - II. Diffusion tube monitoring of nitrogen dioxide at not less than 16no. sites to be agreed with NSC.
 - III. An annual report (Annual Operations Monitoring Report) with a summary of the results described in (i) and (ii) above. The Annual Operations Monitoring Report will be presented to the Airport Consultative Committee and made public.
 - IV. The Air quality monitoring results will be reviewed with NSC on an annual basis, taking account of the following:
 - a. Any new national policies such as newly enacted air quality standards/guidelines, or local policies
 - b. Updates to best practice methodologies
 - c. New scientific or technical developments
 - d. Performance of the airport against air quality standards and guidelines

If the results of the monitoring carried out pursuant to the AQAP as detailed in the Annual Monitoring Report (AMR) identify any exceedances of an applicable air quality criteria in force at the time, or the results indicate a need for measures to avoid or prevent any significant adverse effects on the environment arising from the operation of the Airport, the Owner shall carry out investigation into the causes and exceedances as soon as reasonably practicable following the submission of the AMR and shall submit a mitigation plan to the Council for approval detailing the steps to improve air quality.

Air Noise

- Submit to the Council within 6 months of the commencement of the development for the Council's approval a draft Revised Noise Control Scheme (NCS) which shall be prepared in consultation with the Council and the Flight Operations Committee and shall form a component of the Noise Action Plan.
- Implement the Revised NCS within 12 months of the commencement of the development with details of progress and monitoring data captured within the AMR.
- Submit to the Council for its approval a verification report which shall identify the input data, the methodology and the output data used to calculate the noise contours and recommend the appropriate calculation procedure for producing the noise contours.
- publish the verification reports following approval by the Council.
- submit a noise mitigation scheme to the local planning authority for approval
- submit details of the noise mitigation grants to the Council and shall make such grants available to the owners of qualifying residential properties.

Ground Noise

- prepare a Ground Noise Management Strategy GNMS in consultation with the National Air Transport Service (NATS) NATS, relevant airlines and the Council
- submit to the Council the Ground Noise Management Strategy (GNMS) for the Council's approval which shall aim to achieve ongoing improvements to minimise the levels and impacts of ground noise at the Airport.
- implement and maintain the GNMS by reviewing, producing, maintaining and enforcing standing instructions in relation to activities covered by the GNMS and will use reasonable endeavours to procure the implementation by aircraft operators of the GNMS including pursuing follow up action with the operators of aircraft that disregard the standing instructions, subject to safety constraints.
- report progress on the implementation and maintenance of the GNMS to the Council through the AMR.

Airport Environmental and Improvement Fund (AEAIF)

- contribute £100,000 to the AEAIF to be held in an interest-bearing account jointly by the Owner and the Council and to be administered by representatives of the Owner and the Council.
- Use the fund for the purposes of mitigation to address unforeseen adverse environmental impacts or adverse impacts on the amenity of the local community arising from the Development.
- Provide details of the account to the council.

2. Reason for Section 106 requirements:

(a) Details of the impact of the proposed development on noise and air quality:

The proposed development results in a significant worsening of an already stressed and significantly adverse noise environment for the local community and not an improved one which the APF and MBU requires to be delivered if additional use of existing capacity is to be permitted.

The proposed development would have an adverse impact on air quality. This would not deliver improvements in air quality or improve the health and wellbeing of the local population, as required by national and local policy. It is important to have an air quality monitoring programme in place to ensure that a condition requiring improvements in air quality to be delivered, which is being pursued by the Council, is effective.

The Council's Environmental Protection Team has a duty to ensure that noise and air quality issues do not have a significant impact on the health and wellbeing of the local community.

(b) Evidence that there is insufficient capacity or funding in the existing services and facilities to accommodate the needs of the proposed development:

The Environmental Protection Team does not have the funding, capacity, equipment or technical expertise to undertake the scale of monitoring and mitigation required to ensure that impacts are appropriately measured and effectively mitigated.

3. Details of requirements:

(a) Detailed requirements

Air Quality

- An air quality monitoring programme for nitrogen oxides and fine particulate matter, comprising:
 - Continuous monitoring of oxides of nitrogen and fine particulate matter (PM₁₀ & PM_{2.5}) at two appropriate fixed sites (one existing and one new location) to be agreed with NSC.
 - Diffusion tube monitoring of nitrogen dioxide at not less than 16no. sites to be agreed with NSC, together with at least three diffusion tubes located at the site of a fixed continuous monitor.
- An annual report (in the format of a section in the Annual Operations Monitoring Report) publishing results of the air quality monitoring programme and
- A mitigation plan if required in the light of the results of the air quality monitoring programme

Air Noise

- A Revised Noise Control Scheme (NCS)

- Implementation of the NCS
- An Annual Monitoring Report publishing details of progress and monitoring data
- A verification report with methodology for calculating noise contours
- Publication of the verification report

Ground Noise

- A Ground Noise Management Strategy GNMS
- Implementation and maintenance of the GNMS
- An Annual Monitoring Report publishing results

Airport Environmental and Improvement Fund (AEAIF)

- contribute £100,000 to the AEAIF to be held in an interest bearing account jointly by the Owner and the Council and to be administered by representatives of the Owner and the Council.
- The AEAIF shall be used for the purposes of mitigation to address unforeseen adverse environmental impacts or adverse impacts on the amenity of the local community arising from the Development.
- The Owner covenants to pay on an annual basis a fixed amount of £100,000 per annum for 9 further years from the date of the first payment described in paragraph, which sum shall also be held with the AEAIF.
- The Owner shall provide details of the account referred to in paragraph **Error! Reference source not found.** to the Council within 12 months of the effective Permission Date.

(b) Explanation of how requirement(s) relates to the impacts of the development described in (2) above:

Policy CS3 of the North Somerset Core Strategy (Environmental impacts and flood risk assessment) says: *“Development that, on its own or cumulatively, would result in air, water or other environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other control regimes, or by measures included in the proposals, by the imposition of planning conditions or through a planning obligation.”*

Policy CS23 (Bristol Airport) says: *“Proposals for the development of Bristol Airport will be required to demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure.”*

Policy CS26 (Supporting healthy living and the provision of health care facilities) says *“The planning process will support programmes and strategies which increase and improve health services throughout the district, promote healthier lifestyles and aim to reduce health inequalities. This will be achieved through:*

1) *Requiring Health Impact Assessments (HIA) on all large scale developments in the district that assess how the development will contribute to improving the health and well being of the local population; ...”*

The National Planning Policy Framework states that *“Development should, wherever possible, help to improve local environmental conditions such as air and water quality”* and that *“Opportunities to improve air quality or mitigate impacts should be identified.”* National Aviation Policy requires that new airport development should improve air quality through the provision of *“innovative solutions and incentives against ambitious targets.”*

The measures above, together with measures sought through Condition, will ensure that the proposed development would deliver improvements in air quality compared to the position if planning permission for the Proposed Development were refused.

The NPPF and NPPG require that unacceptable noise effects are prevented, significant adverse noise effects avoided, and adverse noise effects mitigated and minimised. The APF states that the Government’s overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise.

(c) When are the requirements needed?

Air Quality

The Owner will continue to adhere with immediate effect to the current AQAP, but within 6 months of the development will submit for approval its new DRAFT AQAP developed in accordance with the requirements set out above (referred to as the “new AQAP”). Unless otherwise agreed with the Council from the date of approval of the AQAP, the Owner shall comply with the terms of the new AQAP.

The Owner will continue to adhere with immediate effect to the current air quality monitoring programme, but unless otherwise agreed with the Council, within 12 months of the effective date will implement the new air quality monitoring programme set out above (referred to as the “new air quality monitoring programme”). If monitoring identifies any exceedances of an applicable air quality criteria in force at the time, or the results indicate a need for measures to avoid or prevent any significant adverse effects on the environment arising from the operation of the Airport, the Owner shall carry out investigation into the causes and exceedances as soon as reasonably practicable following the submission of the Annual Report to the Council and no later than three months from the date of submitting the Annual Report submit a mitigation plan to the Council for approval detailing the steps to improve air quality.

Air Noise

Within 6 months of the Commencement of Development, the Owner shall submit to the Council for the Council’s approval a draft Revised NCS. Within 12 months of the Commencement of the Development, the Owner shall implement the Revised NCS with details of progress and monitoring data captured within the AMR.

As soon as reasonably practicable following the publication of the third AMR following the effective Permission Date, and subsequently at three yearly intervals

as soon as reasonably practicable following the publication of the relevant AMR, the Owner shall submit to the Council for its approval a verification report which shall identify the input data, the methodology and the output data used to calculate the noise contours and recommend the appropriate calculation procedure for producing the noise contours. The Owner shall publish the verification report referred to above following approval by the Council.

Ground Noise

Within six months of Commencement of Development the Owner shall submit to the Council the GNMS for the Council's approval which shall aim to achieve ongoing improvements to minimise the levels and impacts of ground noise at the Airport.

The Owner shall prepare the GNMS in consultation with NATS, relevant airlines and the Council and the GNMS shall identify measures including

Within six months of the GNMS being agreed with the Council], the Owner shall implement and maintain the GNMS by reviewing, producing, maintaining and enforcing standing instructions in relation to activities covered by the GNMS and will use reasonable endeavours to procure the implementation by aircraft operators of the GNMS including pursuing follow up action with the operators of aircraft that disregard the standing instructions, subject to safety constraints.

The Owner shall report progress on the implementation and maintenance of the GNMS to the Council through the AMR.

Airport Environmental and Improvement Fund (AEAIF)

Within 12 months of the effective Permission Date], the owner will contribute £100,000 to the AEAIF

The Owner will pay on an annual basis a fixed amount of £100,000 per annum for 9 further years from the date of the first payment above.

The Owner shall provide details of the account to the Council within 12 months of the effective Permission Date.

(d) Who will deliver the requirement?

BAL will be required to deliver the obligations.

(e) What are the consequences if the requirement is not delivered?

Air quality monitoring programme: Without the air quality monitoring programme as set out above, there would be the risk of unforeseen air quality impacts going undetected. The Council's ability to address residents' concerns about the air quality impact of the airport would be compromised.

Noise: If a revised NCS and GNMS are not implemented, it is likely that the proposed development would result in a worsening of noise impacts in the local area by not limiting or reducing the numbers of persons significantly affected, or by mitigating and minimising adverse noise impacts. With associated negative health, quality of life and wellbeing impacts, contrary to national and local policy. There

would be a material risk of significant adverse short, medium and long-term impacts on the health and well-being of residents in local communities.

(f) Summary of discussions and negotiations to date

Preliminary discussions with BAL on mitigation of air quality impacts were held on 26 April 2021. Further detailed discussions have taken place following evidence being heard at the inquiry. Discussions with BAL have resolved some areas of difference in relation to air quality. However, NSC and BAL remain in disagreement regarding the principle that the proposed development should deliver an improvement in air quality, and how this should be secured.

4. Strategic issues:

(a) Is this request included in the North Somerset Core Strategy Infrastructure Delivery Plan and / or capital programme? If so, what is its prioritisation?

No

(b) If this application is for one part of a larger site: an indication of any requests you anticipate making for the rest of the site and how these relate to the current request:

Not applicable

(c) Any other comments:

5. Long-term sustainability:

Details of how the long-term sustainability of the infrastructure or service will be secured, e.g. who will manage the infrastructure / service? How will its long-term management and maintenance be funded?

The owner is required to implement and maintain the Air Quality Action Plan (AQAP), the Noise Control Scheme (NCS), and the Ground Noise Management Strategy GNMS for as long as the development remains and is expected to contribute to the AEAIF for 10 years from the effective Permission Date.

Appendix 3: Employment and Skills Support Fund

There are 3 parts to this:

- Part 1: Employment and Skills Support Fund: Operational Phase
- Part 2: Construction Phase Local Labour Agreement and Action Plan
- Part 3: Education Programme

Part 1: Employment and Skills Support Fund: Operational Phase

Section 1: Application details

Planning Appeal Reference: APP/D0121/W/20/3259234

North Somerset Council Reference: 18/P/5118/OUT

Section 2: Request for S106 obligations

1. Summary of requests:

An 'Employment Support Fund' to deliver employment and skills interventions relating to the operational phase of BAL expansion.

2. Reason for Section 106 requirements:

(a) Details of the impact of the proposed development on employment and skills fund:

New development and associated employment growth (1,125 new jobs created directly on site), such as that proposed in BAL's expansion plans, will exacerbate existing skill shortages and create additional pressures on the local labour market. BAL's Economic Impact Analysis acknowledges that 'the 'pull' from the airport may make it harder for other local businesses to recruit or potentially drive up wage rates'.

The planning application and appeal documents does not contain detailed work to ascertain whether the requisite skill sets in Weston super Mare and South Bristol (areas of relative deprivation².) will be sufficient to fill the newly created roles associated with the airport expansion. As such there is some uncertainty around whether the skills sets in these areas will match the requirements of the new jobs.

BAL identifies that the 'majority of direct jobs are likely to require either basic skills or supervisory skills along with a range of managerial jobs at a higher level'. Evidence shows that skills levels in the available employment base (i.e. those currently unemployed) do not necessarily match these skills requirements. The regional areas of high unemployment correlate with a high proportion of people with low or no skills³. This suggests that despite a significant number of jobs being

² Deprivation varies across the region, with pockets of deprivation (LSOAs in the bottom 10%) in Bristol and North Somerset. Out of 678 LSOAs in the West of England 52 are in the 10% most deprived in the country; 42 are in Bristol (16% of LSOAs), 9 in North Somerset (6.7% of LSOAs) and 1 in B&NES (1% of LSOAs). - https://www.westofengland-ca.gov.uk/wp-content/uploads/2019/08/Employment-and-Skills-Plan-Evidence-Base-2019-FINAL_compressed.pdf

³ Nomis data shows that 65% of residents in the deprived wards in South Bristol and Weston-super-Mare only have skills up to Level 2 (see North Somerset Council S106 Method Statement for more detail).

available in the operation of an expanded airport there is a lack of people with the relevant levels of skills who can take up these roles. BAL may be able to source new employees from existing businesses; however, this would lead to pressures in the labour market for other employers.

Furthermore, as well as a lack of basic skills there is also evidence of a shortage of skills in specific sectors related to the end use jobs associated with the airport's expansion. There are regional shortages of skills, particularly in science, technology, engineering and maths (STEM), among residents. This includes both a mismatch of skills in the immediate term, where training completions are not meeting the needs of recruiting firms. It also includes a longer-term pipeline of skills to enable continued growth⁴.

If this impact is not mitigated it will lead to a greater proportion of the labour supply being sourced from outside of the region which contributes to unsustainable commuting or added pressure on housing⁵. In addition, there is the need to expand the local labour market in line with growth of employment from new development, to avoid detrimental impacts on other local employers from increased competition for those employees with suitable skills and qualifications.

(b) Evidence that there is insufficient capacity or funding in the existing services and facilities to accommodate the needs of the proposed development:

There is no capacity within the Council's Economic Development Team to deliver interventions at this scale. The Council's finance confirm in terms of the economic development budget, 95% of Economic Development's base budget is allocated to staffing meaning there is no operational budget to deliver skills and employment interventions linked to large scale construction and development projects'

3. Details of requirements:

a) Detailed requirements

Operational phase 'Employment Support Fund' - Cash contributions

We are requesting BAL to provide an 'Employment Support Fund' and a programme of activities with education providers to deliver employment and skills interventions relating to the operational phase of BAL expansion.

'Employment Support Fund' = a cash contribution of £300,000 to commission a specialist employment support provider to deliver a suite of employment and skills interventions which would support residents to access end use/ operational phase jobs, building on the Heads of Terms outlined in the Skills and Employment Plan at Appendix A.

(b) Explanation of how requirement(s) relates to the impacts of the development described in (2) above:

⁴ https://www.westofengland-ca.gov.uk/wp-content/uploads/2019/08/Employment-and-Skills-Plan-Evidence-Base-2019-FINAL_compressed.pdf

⁵ Planning Practice Guidance, Housing and Economic Development Needs Assessments, paragraph 018 (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#housing-need>)

Seeking planning obligations to maximise the potential of the West of England population to compete for the jobs being created, whether during the construction phase or end user/ operational phase, through improving their skills levels and by placing obligations on the developer through a local labour agreement, are necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. It is important the economic benefits of new development in terms of improved local skills and employment outcomes are realised.

(c) When are the requirements needed?

The Operational Phase Employment Support Fund: This would need to be available no later than 18 months before substantial operational/ end use occupation begins (to be guided by the development timescale). This lead in time would allow enough lead in time to allow commissioning of a specialist provider.

(d) Who will deliver the requirement?

Operational phase requests will be delivered by an externally commissioned provider (to be governed by a Steering Group, the composition of which is to be confirmed but will include North Somerset Council and Bristol Airport).

North Somerset Council will be a key decision maker on the following areas:

- Invitation to tender – minimum service standards and outcomes
- Outcome of appointed provider(s)
- Performance monitoring
- Any contract variations which impact on outcomes

(e) What are the consequences if the requirement is not delivered?

Skills levels are a key determinant of a sustainable local economy, but they also have an impact on employment opportunities and thus an individual's economic prosperity.

In the short and medium term improving the skills of the local labour force will be key to maintaining its economic competitiveness. Securing obligations for employment training of local people will help to ensure that residents are given timely access to the right skills training, so they can take advantage of opportunities created by new development. Not doing this will have the impact of increasing and embedding labour market disadvantage and exacerbating existing skills gaps. In the longer term this could impact on the economic competitiveness of the region.

In the longer-term promoting employment and training opportunities for local people will generate local employment opportunities and reduce the need to travel, which will contribute to sustainable economic development. Focusing activities mainly on those most marginalised from the workforce, including those that lack the skills required by employers, will help to reduce deprivation and inequalities and improve social inclusion. Not undertaking activity to enable this to happen could increase congestion and housing pressures, it may also enhance and embed labour market disadvantage and deprivation.

(f) Summary of discussions and negotiations to date

The North Somerset Economic Plan 2017-2036 (2017) recognises the important role of BAL to the economy and connectivity of North Somerset. Bristol airport were a core consultee during the production of the North Somerset Economic Plan in 2016 and has therefore been committed to delivering its outcomes for a significant period of time. In relation to employment and skills NSEP highlights the need to:

- work with partners to maximise the role of the airport as a strategic employment location
- retain and nurture talent
- develop local employability and workforce skills
- create a range of job opportunities
- address under employment and provide pathways to progression

In relation to the specific S106 via both email and in a series of meetings on Employment and Skills.

4. Strategic issues:

(a) Is this request included in the North Somerset Core Strategy Infrastructure Delivery Plan and / or capital programme? If so, what is its prioritisation?

No

(b) If this application is for one part of a larger site: an indication of any requests you anticipate making for the rest of the site and how these relate to the current request:

No

(c) Any other comments:

No

5. Long-term sustainability:

Details of how the long-term sustainability of the infrastructure or service will be secured, e.g. who will manage the infrastructure / service? How will its long-term management and maintenance be funded?

Operational phase requests will be delivered by an externally commissioned provider (to be governed by a Steering Group, the composition of which is to be confirmed but will include North Somerset Council and Bristol Airport).

North Somerset Council will be a key decision maker on the following areas:

- Invitation to tender – minimum service standards and outcomes
- Outcome of appointed provider(s)
- Performance monitoring
- Any contract variations which impact on outcomes

The legacy will be a cohort of higher skills residents able to access employment opportunities and support the airport with its expansion plans.

Part 2: Construction Phase Local Labour Agreement and Action Plan

Section 1: Application details

Application no:

Planning Appeal Reference: APP/D0121/W/20/3259234

North Somerset Council Reference: 18/P/5118/OUT

Section 2: Request for S106 obligations

1. Summary of requirement(s):

A Construction Phase Local Labour Agreement and Action Plan, bound by the principles of the 'Construction Training Industry Board Client Based Approach'.

2. Reason for Section 106 requirements:

(a) Details of the impact of the proposed development on employment and skills fund:

New development and associated employment growth in construction, such as that proposed in BAL's expansion plans, will exacerbate existing skill shortages and create additional pressures on the local labour market. As well as a lack of basic and digital skills there is also evidence of a shortage of skills in specific sectors related to construction. This will affect residents' ability to access new employment opportunities being created. Key evidence⁶ relating to construction skills shortages in the West of England includes:

- A decline in training achievements in several main occupations
- Existing demand based on pipeline projects in 28 construction occupations (from process managers to surveyors)
- Existing large-scale infrastructure projects, such as Hinkley Point C, are placing demands on the construction workforce already.

If this impact is not mitigated it will lead to a greater proportion of the labour supply being sourced from outside of the region which contributes to unsustainable commuting or added pressure on housing⁷. In addition, there is the need to expand the local labour market in line with growth of employment from new development to avoid detrimental impacts on other local employers from increased competition for those employees with suitable skills and qualifications.

⁶ <https://www.citb.co.uk/global/research/woe%20lep%20report%20-%20final%20-%2031jul171.pdf>

⁷ Planning Practice Guidance, Housing and Economic Development Needs Assessments, paragraph 018 (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#housing-need>)

(b) Evidence that there is insufficient capacity or funding in the existing services and facilities to accommodate the needs of the proposed development:

There is no capacity within the Economic Development Team to deliver interventions at this scale. Colleagues in finance confirm '95% of Economic Development's base budget is allocated to staffing meaning there is no operational budget to deliver skills and employment interventions linked to large scale construction and development projects'

3. Details of requirements:

a) Detailed requirements

Note - this S106 requirement relates to two elements (Works in Kind and Cash Contributions)

Construction phase: We are requesting BAL to deliver 1 programme of 'Works in kind'

This constitutes a local labour agreement and action plan, bound by the principles of the 'Construction Training Industry Board (CITB) Client Based Approach', relating to the construction phase of BAL 12m ppa expansion. This will require BAL to:

- Submit a Construction Skills and Employment Plan (SEP) building on the Heads of Terms set out in Appendix A to this agreement and action plan to NSC for its written approval at least 6 months (or at the earliest opportunity in this case) before the commencement of the development on site, such approval to include the date by which the SEP and action plan are to be implemented by BAL;
- Comply with and implement the approved SEP and action plan and provide NSC (in partnership with Alliance Homes) with information as required to demonstrate its compliance with the SEP and action plan;
- Provide a monthly highlight report of the various employment and skills activities delivered in the previous month.

(b) Explanation of how requirement(s) relates to the impacts of the development described in (2) above:

Seeking planning obligations to maximise the potential of the West of England population to compete for the jobs being created during the construction phases of the development, by improving their skills levels and by placing obligations on the developer through a local labour agreement. This is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. It is important the economic benefits of new development in terms of improved local skills and employment outcomes are realised.

(c) When are the requirements needed?

Construction Phase Local Labour Agreement/ Employment and Skills Plan: a Construction focussed Employment and Skills Plan (ESP) and associated action plan should be submitted to NSC for its written approval at least 6 months (or at

the earliest opportunity in this case) before the commencement of the development on site.

(d) Who will deliver the requirement?

The local labour agreement will be delivered by BAL and their relevant contractors with monitoring by Alliance Homes and overseen by NSC.

BAL is already considering how to build local labour delivery targets into their ITTs to their tier one and two contractors. This work can be incorporated to form elements of this S106.

(e) What are the consequences if the requirement is not delivered?

Skills levels are a key determinant of a sustainable local economy, but they also have an impact on employment opportunities and thus an individual's economic prosperity.

In the short and medium term improving the skills of the local labour force will be key to maintaining its economic competitiveness. Securing obligations for employment and training of local people will help to ensure that residents are given timely access to the right skills, to enable them to take advantage of opportunities created by new developments. Not doing this will have the impact of increasing and further embedding labour market disparity and exacerbating existing skills gaps. In the longer term this could impact on the economic competitiveness of the region.

In the longer-term promoting employment and training opportunities for local people will generate local employment opportunities and reduce the need to travel, which will contribute to sustainable economic development. Focusing activities mainly on those most marginalised from the workforce, including those that lack the skills required by employers, will help to reduce deprivation and inequalities and improve social inclusion. Not undertaking activity to enable this to happen could increase congestion and housing pressures, it may also enhance and embed labour market disadvantage and deprivation.

(f) Summary of discussions and negotiations to date

The North Somerset Economic Plan 2017-2036 (2017) recognises the important role of BAL to the economy and connectivity of North Somerset. Bristol airport were a core consultee during the production of the North Somerset Economic Plan in 2016 and has therefore been committed to delivering its outcomes for a significant period of time. In relation to employment and skills NSEP highlights the need to:

- work with partners to maximise the role of the airport as a strategic employment location
- retain and nurture talent
- develop local employability and workforce skills
- create a range of job opportunities
- address under employment and provide pathways to progression

In relation to the specific S106 the Economic Development team have engaged with the Airport via both email and in a series of meetings on Employment and Skills. The developer is open to the requests around construction phase and using the CITB CBA.

4. Strategic issues:

(a) Is this request included in the North Somerset Core Strategy Infrastructure Delivery Plan and / or capital programme? If so, what is its prioritisation?

No

(b) If this application is for one part of a larger site: an indication of any requests you anticipate making for the rest of the site and how these relate to the current request:

No

(c) Any other comments:

No

5. Long-term sustainability:

Details of how the long-term sustainability of the infrastructure or service will be secured, e.g. who will manage the infrastructure / service? How will its long-term management and maintenance be funded?

These interventions will be delivered over the lifetime of the project (up to 2026) and will be managed by BAL and monitored by NSC/ Alliance Homes.

Appendix A:

Bristol Airport

Skills and Employment Plan 2020 to 2026: Outline

1	Introduction
1.1	Overview: Bristol Airport Growth to 12 Million Passengers Per Annum (mppa)
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5	Monitoring Our Performance
5.1	<p>How we will monitor the Skills and Employment Plan</p> <p>Performance and progress will be monitored regularly, however the final details will be agreed post consent and set out in the final Skills and Employment Plan.</p>
5.2	<p>Key Performance Indicators:</p> <ul style="list-style-type: none"> • Metrics from CITB CBA • Metrics relating to Education Programme (i.e. number of work placements offered, number of mentoring opportunities, number of career insights visits etc.) • Funding the Achieve Programme

Part 3: Education Programme with schools, FE and HE

Section 1: Application details
Planning Appeal Reference: APP/D0121/W/20/3259234 North Somerset Council Reference: 18/P/5118/OUT
Section 2: Request for S106 obligations
1. Summary of requirement(s): An Operational Phase Education Programme with schools, FE and HE.
2. Reason for Section 106 requirements:
(a) Details of the impact of the proposed development on employment and skills fund: <p>Bristol Airport's Economic Impact Analysis (EIA) acknowledges that 'the 'pull' from the airport may make it harder for other local businesses to recruit or potentially drive up wage rates'.</p> <p>Unfortunately, the EIA does not contain detailed work to ascertain whether the requisite skill sets in Weston super Mare and South Bristol (areas of relative deprivation⁸) will be sufficient to fill the newly created roles associated with the airport expansion. As such there is some uncertainty around whether the skills sets in these areas will match the requirements of the new jobs.</p> <p>However, BAL identifies that the 'majority of direct jobs are likely to require either basic skills or supervisory skills along with a range of managerial jobs at a higher level'. Evidence shows that skills levels in the available employment base (i.e. those currently unemployed) do not necessarily match these skills requirements. The regional areas of high unemployment correlate with a high proportion of people with low or no skills⁹. This suggests that despite a significant number of jobs being available in the operation of an expanded airport there is a lack of people with the relevant levels of skills who can take up these roles. BAL may be able to source new employees from existing businesses; however, this would lead to pressures in the labour market for other employers.</p> <p>As well as a lack of basic skills there is also evidence of a shortage of skills in specific sectors related to the end use jobs associated with the airport's expansion. The Business West Sector Skills Statements highlight shortages of skills across the board with management roles across all sectors the hardest to fill¹⁰.</p>

⁸ Deprivation varies across the region, with pockets of deprivation (LSOAs in the bottom 10%) in Bristol and North Somerset. Out of 678 LSOAs in the West of England 52 are in the 10% most deprived in the country; 42 are in Bristol (16% of LSOAs), 9 in North Somerset (6.7% of LSOAs) and 1 in B&NES (1% of LSOAs). - https://www.westofengland-ca.gov.uk/wp-content/uploads/2019/08/Employment-and-Skills-Plan-Evidence-Base-2019-FINAL_compressed.pdf

⁹ Nomis data shows that 65% of residents in the deprived wards in South Bristol and Weston-super-Mare only have skills up to Level 2 (see North Somerset Council S106 Method Statement for more detail).

¹⁰ <https://www.businesswest.co.uk/grow/skills/local-sector-skills-statements>

New development and associated employment growth, such as that proposed in BAL's expansion plans, will exacerbate existing skill shortages and create additional pressures on the local labour market.

Given the development will continue to 2026 there are a number of young people who are currently in school who could be encouraged to consider careers at BAL – this could support in alleviating some of the pressures in the local labour market. Therefore, there is a need to better integrate the education system with the labour market opportunities and to expand and provide access to the range of vocational routes into employment by improving the prospects for young people in West of England and ensure that local businesses can attract an appropriately qualified workforce.

If this impact is not mitigated it will lead to a greater proportion of the labour supply being sourced from outside of the region, this contributes to unsustainable commuting or added pressure on housing¹¹. In addition, there is the need to expand local labour market opportunities in line with growth of employment from new development, to avoid detrimental impacts on other local employers from increased competition for those employees with suitable skills and qualifications.

(b) Evidence that there is insufficient capacity or funding in the existing services and facilities to accommodate the needs of the proposed development:

There is no capacity within the Economic Development Team to deliver interventions at this scale. Colleagues in finance confirm 'in terms of the economic development budget. 95% of Economic Development's base budget is allocated to staffing meaning there is no operational budget to deliver skills and employment interventions linked to large scale construction and development projects'.

3. Details of requirements:

a) Detailed requirements

Works in Kind: Education programme: BAL should work to develop a pipeline of talent to safeguard growth by engaging with education, from primary level through to university. Engagement with schools and FE/HE at all levels will support the raising aspirations agenda and maximise the opportunity for young people and adults to access employment at the site. Building on the relevant part of the agreed Skills and Employment Plan at Appendix A the programme will include:

- Career insights visits
- Work experience
- Mentoring
- Classroom activity

(b) Explanation of how requirement(s) relates to the impacts of the development described in (2) above:

¹¹ Planning Practice Guidance, Housing and Economic Development Needs Assessments, paragraph 018 (<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments#housing-need>)

Seeking planning obligations to maximise the potential of the West of England population to compete for the jobs being created, in the end user/ operational phase, through improving their skills levels and by placing obligations on the developer to deliver an education programme. This is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. It is important the economic benefits of new development in terms of improved local skills and employment outcomes are realised.

(c) When are the requirements needed?

Education Programme: Details of the operational phase education programme and an action plan for delivery would be needed 12 months before substantial operational/ end use occupation to allow NSC time to enhance the programme by creating links to schools and other provision.

(d) Who will deliver the requirement?

The Education Programme will be delivered by BAL in partnership with West of England Unitary Authorities and other relevant partners, monitored by NSC.

(e) What are the consequences if the requirement is not delivered?

Short term impact – a lack of engagement with schools, FE and HE will lead to difficulty accessing young people currently leaving education or considering their curriculum choices which would relate to future careers at the airport

Medium term impact – continued lack of engagement with schools and colleges to promote onsite opportunities will mean there is no pipeline of relevant talent available to support BAL's expansion of job opportunities. On site businesses will be unable to source the talent, they need to grow their businesses and increase productivity.

Long Term impact – BAL will lack brand identity in schools and will struggle to employ young people within the local labour market to meet expansion requirements.

(f) Summary of discussions and negotiations to date

The North Somerset Economic Plan 2017-2036 (2017) recognises the important role of BAL to the economy and connectivity of North Somerset. Bristol airport were a core consultee during the production of the North Somerset Economic Plan in 2016 and has therefore been committed to delivering its outcomes for a significant period of time. In relation to employment and skills NSEP highlights the need to:

- work with partners to maximise the role of the airport as a strategic employment location
- retain and nurture talent
- develop local employability and workforce skills
- create a range of job opportunities
- address under employment and provide pathways to progression

In relation to the specific S106 asks we have engaged with the Airport via both email and in a series of meetings on Employment and Skills.

The developer is open to the request around an education programme and have agreed to deliver it as set out in the heads of terms in an agreed Skills and Employment Plan.

4. Strategic issues:

(a) Is this request included in the North Somerset Core Strategy Infrastructure Delivery Plan and / or capital programme? If so, what is its prioritisation?

No

(b) If this application is for one part of a larger site: an indication of any requests you anticipate making for the rest of the site and how these relate to the current request:

No

(c) Any other comments:

No

5. Long-term sustainability:

Details of how the long-term sustainability of the infrastructure or service will be secured, e.g. who will manage the infrastructure / service? How will its long-term management and maintenance be funded?

The service will be managed by BAL with partnership support from NSC. NSC will monitor impact.

Appendix A:

Bristol Airport

Skills and Employment Plan 2020 to 2026: Outline

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