

From: [Paul Donovan](#)
To: [Brenda Taplin](#)
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]
Date: 22 September 2022 06:45:35

Of course.

From: Brenda Taplin <Brenda.Taplin@gateleyhamer.com>
Sent: 21 September 2022 17:48
To: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]

Hello Paul

Many thanks for your email which I will pass on to the Inspectors. Should they wish it, are you content for me to add your email to the earlier trail for circulation and the Inquiry website?

Brenda
Brenda Taplin
Senior Land Referencer & Public Inquiry Programme Officer
for Gateley Hamer
t: [0148 323 0161](tel:01483230161)
m: [07493 972 022](tel:07493972022)
ext: 2302

brenda.taplin@gateleyhamer.com

I work flexibly - so whilst it suits me to email outside normal working hours, I do not expect a response outside your own.



From: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Sent: 21 September 2022 16:42
To: Brenda Taplin <Brenda.Taplin@gateleyhamer.com>
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]

Hi Brenda,

Appreciate you don't need a response, but thought I'd mail out of courtesy.

Our concerns are not complicated and the authorities have nothing to add. Given the collective experience of all parties and depth of legal advice at hand, there isn't anything to be gained in taking up Inquiry time. The authorities are content for the process to establish whether there are any procedural issues arising from their concerns.

Many thanks.

Paul.

From: Brenda Taplin <Brenda.Taplin@gateleyhamer.com>
Sent: 21 September 2022 10:26
To: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Cc: Joanna Vincent <Joanna.Vincent@gateleyhamer.com>
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]
Importance: High

Hello Paul

I am assisting Joanna for the next couple of weeks as Programme Officer for the Public Inquiry.

Your emails were passed to the Inspectors who asked me to circulate them to the Applicant, LPA, and the Rule 6 parties of CPRE & LADACAN and to add to the ES Addendum Responses on the Inquiry website at [Luton Airport - Gateley \(gateleyhamer-pi.com\)](http://Luton Airport - Gateley (gateleyhamer-pi.com))

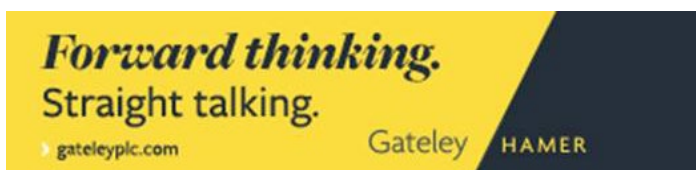
The Inspectors are considering the comments you have made and will respond once the Inquiry opens. Whilst they note you have not intended to appear to make a presentation, if that position has now changed and you would wish to appear to present a statement based on the comments now expressed in the emails, please urgently contact me.

Many thanks.

Brenda
Brenda Taplin
Senior Land Referencer & Public Inquiry Programme Officer
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I work flexibly - so whilst it suits me to email outside normal working hours, I do not expect a response outside your own.



From: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Sent: 16 September 2022 12:15
To: Joanna Vincent <Joanna.Vincent@gateleyhamer.com>
Cc: Brenda Taplin <Brenda.Taplin@gateleyhamer.com>
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]

Hi Joanna,

For it to be satisfied that:

- i. the late presentation of quantified economic benefit of the proposal, with no public

- consultation.
- ii. the new issue relating to the economic disbenefit of a refusal, with no public consultation.
- iii. the position that the benefit/disbenefit in i. and ii. are presented as 'significant', but this new significance is at odds with the agreement reached between the applicant and the local planning authority in relation to the scope of the ES and therefore isn't covered in the ES.

.....is all procedurally fine.

Paul.

From: Joanna Vincent <Joanna.Vincent@gateleyhamer.com>
Sent: 16 September 2022 11:57
To: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Cc: Brenda Taplin <Brenda.Taplin@gateleyhamer.com>
Subject: RE: 21/00031/VARCON Public Enquiry [GATELEY-GHAM.FID70474]

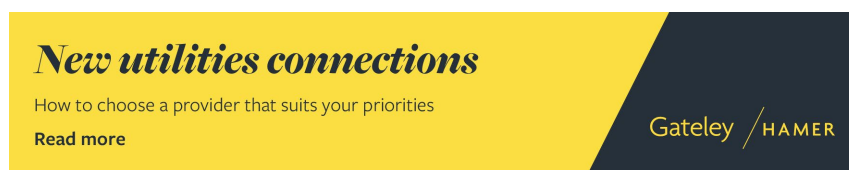
Dear Paul

Thank you for your email, please could you clarify what you are requesting from the Inspectorate?

Many thanks
Joanna

Joanna Vincent
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From: Paul Donovan <Paul.Donovan@hertfordshire.gov.uk>
Sent: 16 September 2022 11:16
To: holly.dutton@planninginspectorate.gov.uk
Cc: Joanna Vincent <Joanna.Vincent@gateleyhamer.com>
Subject: FW: 21/00031/VARCON Public Enquiry

Holly,

I write on behalf of the Hertfordshire local authorities of City and District of St Albans, Dacorum, North Hertfordshire and Hertfordshire.

The Inspectors will be aware of the representations of the authorities dated 22nd May 2022 and

their response to the recent Reg 25 consultation dated 4th August 2022, the latter of which includes the following statement:

'6.0 Economic effects

6.1 It is highlighted that the ESA fails to introduce any assessment of the economic effects of the proposals. As highlighted in our Written Representations this is a clear acceptance that any such claimed economic benefits cannot be significant as they have been effectively screened out of the EIA process.

6.2 This position contradicts comments made in the Applicants Statement of Case that :-

*"In facilitating sustainable growth at the Airport, the S73 Application will play an important role in supporting wider economic growth and the rapid recovery from the Covid-19 pandemic."
(Appellant's SoC, para. 2.3.)*

6.3 If the proposal was "important" to the wider economy, it would be significant in EIA terms.

"Luton therefore needs significant jobs and economic growth urgently." (SOC para. 2.7)

6.4 Yet, having screened out these elements from the EIA process, the proposals cannot be considered as making a significant contribution with regard to jobs and economic growth.

6.5 The SoC of the Appellant goes on to claim that the proposal will create over 900 new jobs and contribute £44bn GVA to the economy (although it is understood that this was corrected by the Applicant at the Pre Inquiry Meeting to £44million). Leaving aside any interrogation of the veracity of this assessment, these economic consequences cannot, by definition, be significant. This should be considered in ascribing weight to these claimed benefits in the overall planning balance.'

As you will be aware, throughout the process the authorities and other parties have been calling for evidence to be provided to support the alleged economic benefits of the additional I mppa, with no success. It now appears that evidence is emerging through Mr Hunt's Proof of Evidence (PoE), some 20 months after the submission of the planning application.

Firstly, as consultees have consistently stated, evidence/intelligence on the alleged economic benefit of the proposal should have been made available alongside the planning application, been subject to consultation and it, and the views on it, taken into account by the LPA when it came to make a decision. Despite assurances to the LPA from the applicant that an economic assessment would accompany the planning application, this did not happen.

'Economic statement – you indicated in the Screening Report Paragraph 3.3.124) that one would be provided.' [page 111 of the ES, Appendix 1B]

'10. Socio-Economic: The existing number of employees and benefit to the local and national economy were set out, and whilst there may be some positive benefit, there would not be a significant effect. An economic assessment would accompany any planning application.' [page 124 of the ES, Appendix 1C]

To the extent that it might be alleged that it did, this would probably amount to paragraphs 6.4.1-6.4.4 of the Planning Statement, but all this amounts to is a generic statement of the economic value of the airport generally, not of this proposal to grow an additional 1 mppa:

‘Socioeconomic impacts

6.4.1 Access to air services provides global connectivity which creates economic and social benefits. Aviation is a significant industrial sector in its own right; LLA contributed £1.8 billion to the UK GDP and 28,200 jobs across the UK. This comprises of 10,900 “direct” jobs at firms which form an integral part of the airport’s operations, 8,500 jobs within firms in the supply chain, and 8,800 induced jobs supported by workers spending. Regional airports are a significant component of the wider UK aviation sector. The APF states that “new or more frequent international connections attract business activity, boosting the economy of the region and providing new opportunities and better access to new markets for existing businesses”.

6.4.2 In this context, LLA is a key economic driver within the region, delivering significant GVA and employment and providing substantial benefits to the wider economy by facilitating travel for business passengers and for inbound visitors. The connectivity provided by the airport enables the flow of trade, investment, people and knowledge that are central to globally successful regions. LLA also plays a vital role in supporting the tourism sector, providing easy access to overseas markets, including 40 countries and 143 destinations throughout Europe, the Middle East and Africa.

6.4.3 The Proposed Amendments would deliver more economic benefits than the ‘do-nothing’ scenario (i.e. maintaining operations under the Original Planning Permission).

6.4.4 LLA intends to provide one-off grants between £12,000 and £15,000 to local councils to be used to provide community improvements.’

Evidence on the positive benefit of the additional 1mppa may well now be available to the Inquiry and the current decision-maker, but of course this has not been subject to any form of public consultation.

Secondly, Mr Hunt’s PoE presents a case on the economic disbenefit of a refusal not being forthcoming, given that LLAOL would have to reduce current throughput in order to honour the existing planning permission. The perversity of this argument (there would be economic disbenefit if LLAOL were forced to reduce operations to prevent further breaches of the existing planning permission) will not be lost on the communities that have been adversely impacted by the inability/choice of LLAOL not to honour the 2014 planning permission which had specific provisions contained within it to protect them. Putting that perversity aside:

- This is a new issue. The planning application contains no statement or assessment of the economic disbenefit associated with the operator having to scale back operations to honour the existing planning permission.
- Only generic statements are articulated - no quantified evidence is presented.
- This issue and any quantified evidence to support it, has not been subject to public consultation.

Thirdly, assuming the evidence presented in relation to the economic benefit of the additional 1mppa is sound, Mr Hunt’s interpretation of and conclusions from that evidence are correct, and his unquantified judgement that there would be significant economic disbenefit in LLAOL having

to honour the existing planning permission is also correct, these interpretations/conclusions/judgements contradict the reasons why socio-economic factors ('Chapter 9 Community and Economic' of the original ES) have been screened out of the ES for this application. It is clear from Appendices 1B and 1C of the ES, that the LPA agreed with the applicant in its assessment of the socio-economic impacts of the proposals – that these would not be significant – see above (page 124 of the ES, Appendix 1C]. But the opposite appears now to be the case. Neither the ES accompanying the planning application, nor the recent Reg 25 consultation contain any updated assessment of the socio-economic impacts of the proposal, despite, as the applicant alleges, the 1mppa additionality/requirement to honour the existing planning permission being significant (positive for the former, negative for the latter).

The authorities would appreciate the process ensuring their concerns do not raise any procedural irregularities.

Many thanks.

Paul.
