

20 October 2008

c/o London Luton Airport Operations Ltd.

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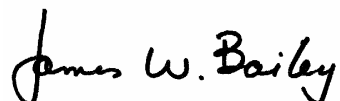
Dear Sir/Madam

**Guidance for Airport Operators to produce action plans under the terms of the
Environmental Noise Regulation 2006,**

Thank you for consulting London Luton Airport Consultative Committee on your draft
guidance for airport operators. Attached to this letter is our response.

We would be very happy to meet if it would help you to have any further explanations of our
points before you update the Guidance.

Yours faithfully



James W Bailey
Chairman

**Response to Defra:
Consultation on the guidance for Airport Operators to produce action plans
under the terms of the Environmental Noise Regulation 2006, “END”**

Introduction

- 1.1 The Noise and Track Sub-Committee of the London Luton Airport Consultative (LLACC) met on the 15th September, and discussed a possible response to the consultation over action plan guidance. Subsequently a draft response was prepared and submitted to LLACC for discussion at their meeting of 13th October 2008.
- 1.2 The note below records the key consultation questions and the responses of LLACC settled at the meeting by the Committee for issue to DEFRA.

Consultation Question 1: Approach

“Do you agree with the approach being adopted in this document? Especially bearing in mind the requirements of the END that we should address priorities based on the results of the noise mapping?”

- 1.3 LLACC, whilst welcoming the EU Directive seeking a common approach intended to avoid, prevent or reduce on a prioritized basis the harmful affects, including annoyance, due to exposure to environmental noise, find the DEFRA approach falls far short of the DEFRA obligation under Regulation 14(1) to publish guidance, setting out limit values or other criteria for the identification of priorities for action plans (SI 2006 No 2238).
- 1.4 LLACC note that DEFRA seeks to introduce, instead of limit values, a poorly defined concept of acceptability. No definition is given as to which stakeholders are the competent authority to consider when deciding on acceptability, i.e. the airport itself, the local amenity groups, etc.
- 1.5 LLACC seek DEFRA to provide guidance on the process with relevance to the 55 dB L_{den} and 50 dB L_{night} strategic noise maps, so that overall annoyance and sleep disturbance can be adequately addressed, and appropriate identification of priorities carried out.
- 1.6 LLACC seek DEFRA to resolve also the definition of tranquillity both in urban areas and in Areas of Outstanding Natural Beauty such as the Chilterns so that their protection can be addressed by the action plans.

Consultation Question 2: Issues

“Do you agree with the issues outlined in the guidance that Airport Operators should take into account when preparing action plans?”

- 1.7 LLACC note the issues suggested by DEFRA and suggest they are inadequate, and DEFRA should instead clearly delineate the limit values in terms of the strategic noise maps. LLACC would suggest that the matter of night noise should be given greater prominence.
- 1.8 LLACC also suggest that guidance should be given on measures to be included in the Action Plans, for instance land-use planning, technical measures at noise source, regulatory or economic measures or incentives.

Consultation Question 3: Process

“Do you agree with the process set out in the guidance for the development and adoption of action plans?”

- 1.9 LLACC agree with the general process proposed by DEFRA for the development and adoption of actions plans but:
- LLACC suggest that a realistic time plan for the submission of Action Plans must be set.
 - 12 weeks for public consultation on the draft plan is unrealistic if it is to be done thoroughly and a minimum of 16 weeks should be adopted, longer if a holiday period is included.
 - Action Plans should be submitted to DEFRA not DfT

Consultation Question 4: Additional Guidance

“Is there any additional guidance that should be included in this document that would assist the process?”

- 1.10 LLACC suggest it is essential that additional guidance is made available, and suggest there is a need for a realistic timetable to produce these important plans, and that the guidance on limit values required by END needs to be resolved prior to Plan production.