

APP/C1570/W/20/3256619 (UTT/18/0460/FUL)

AIRFIELD WORKS COMPRISING TWO NEW TAXIWAY LINKS TO THE EXISTING RUNWAY (A RAPID ACCESS TAXIWAY AND A RAPID EXIT TAXIWAY), SIX ADDITIONAL REMOTE AIRCRAFT STANDS (ADJACENT YANKEE TAXIWAY); AND THREE ADDITIONAL AIRCRAFT STANDS (EXTENSION OF THE ECHO APRON) TO ENABLE COMBINED AIRFIELD OPERATIONS OF 274 000 AIRCRAFT MOVEMENTS (OF WHICH NO MORE THAN 16 000 MOVEMENTS WOULD BE CARGO AIR TRANSPORT MOVEMENTS (CATM)) AND A THROUGHPUT OF 43 MILLION TERMINAL PASSENGERS, IN A 12 MONTH CALENDAR PERIOD AT STANSTED AIRPORT

**BUNDLE OF DOCUMENTS IN SUPPORT OF UTTLESFORD DISTRICT COUNCIL'S
RESPONSE TO THE APPELLANT'S COSTS APPLICATION.**

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**WITNESS STATEMENT OF ADRIAN STEPHEN WEBB IN SUPPORT OF
SUBMISSIONS ON BEHALF OF UTTLESFORD DISTRICT COUNCIL
IN RESPONSE TO A COSTS APPLICATION MADE BY
STANSTED AIRPORT LIMITED ON 12 MARCH 2021**

ADRIAN STEPHEN WEBB of the Council Offices, London Road, Saffron Walden, Essex will say as follows:

1. I am employed by Uttlesford District Council (UDC or the Council) as Director of Finance and Corporate Services and S151 Officer and have held my current post for thirteen years. I make this statement upon the basis of matters within my own personal knowledge or upon the contents of records in the possession of the Council. When I do not have such knowledge then I state the source of my information and belief.
2. I have had the opportunity of reading the Appellant's Submission on Costs in this matter dated 12th March 2021 and have had my attention drawn in particular to the contents of paragraphs 18-22 thereof.
3. Paragraph 19 is a direct quote from a report prepared by Simon Pugh, the then Monitoring Officer to the EGM taking place on 28 June 2019. On point of fact, whilst the quotation given is attributed to me, it was actually that of Mr Pugh. Mr Pugh has since retired from the employment of the Council. It is not uncommon for a Planning Committee to be given costs warnings as to the potential costs risks of their decisions, especially where an overturn of officer recommendation is envisaged.
4. Paragraph 22 of the Appellant's submissions implies that Cllr Hargreaves' comments, as quoted in paragraph 21, amounted to a clear approach to ringfenced funds which was improper. I do not consider such an allegation to be fair or justified. Whilst it was inaccurate of Cllr Hargreaves to refer to the Transformation and Future Development Project Reserve

as being available to cover appeal costs, he correctly referred to the Strategic Initiative Fund (SIF) in that context. In fact, both the Planning Reserve and the SIF are potentially available to cover the costs of appeals, which would include any third party costs awards made against the Council. The SIF is not an earmarked reserve as implied by the Appellant in paragraph 22. It is subject to a clear set of rules that govern its use.

Despite the seriousness of the suggestion made by the Appellant in paragraph 22, I am not aware of any complaint made by the Appellant in relation to Cllr Hargreaves' comments at the time or since. I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated 1st day of April 2021

SIGNED:

A handwritten signature in black ink, appearing to read 'A. Webb', written in a cursive style.

AIRFIELD WORKS COMPRISING TWO NEW TAXIWAY LINKS TO THE EXISTING RUNWAY (A RAPID ACCESS TAXIWAY AND A RAPID EXIT TAXIWAY), SIX ADDITIONAL REMOTE AIRCRAFT STANDS (ADJACENT YANKEE TAXIWAY); AND THREE ADDITIONAL AIRCRAFT STANDS (EXTENSION OF THE ECHO APRON) TO ENABLE COMBINED AIRFIELD OPERATIONS OF 274 000 AIRCRAFT MOVEMENTS (OF WHICH NO MORE THAN 16 000 MOVEMENTS WOULD BE CARGO AIR TRANSPORT MOVEMENTS (CATM)) AND A THROUGHPUT OF 43 MILLION TERMINAL PASSENGERS, IN A 12 MONTH CALENDAR PERIOD AT STANSTED AIRPORT

**WITNESS STATEMENT OF GORDON GRAEME GLENDAY
IN SUPPORT OF SUBMISSIONS ON BEHALF OF
UTTLESFORD DISTRICT COUNCIL IN RESPONSE TO
A COSTS APPLICATION MADE BY STANSTED AIRPORT LIMITED**

GORDON GRAEME GLENDAY of the Council Offices, London Road, Saffron Walden, Essex will say as follows:


1. I am employed by Uttlesford District Council (UDC or the Council) as Assistant Director: Planning and have held my current post for over 4 years. I make this statement upon the basis of matters within my own personal knowledge or upon the contents of records in the possession of the Council. When I do not have such knowledge then I state the source of my information and belief.
2. As part of my duties, I attend a monthly meeting with representatives of Stansted Airport Limited (STAL) at which a number of matters are regularly discussed. The usual attendees at these meetings are me and Roger Harborough, Director of Public Services on behalf of the Council and John Twigg and Alistair Andrew of STAL but others are periodically invited to attend when their input is required. The agenda of these meetings can cover a potentially wide range of matters of mutual interest to the parties, particularly operational matters from a community perspective. However, Planning matters form the staple of each agenda.
3. At the meeting following the decision of the Planning Committee on 24th January 2020 taking place on 4th February 2020 there was general discussion as John Twigg, the senior representative of STAL, was absent on annual leave. STAL stated that it was considering its options in relation to the refusal, including a judicial review challenge, ombudsman complaint, an appeal, re-submission of the application, or NSIP application for >10 mppa. At

clearly stated that it might take three to four months for STAL to make a decision as to its way forward.

Regardless of this it was agreed that the monthly meetings would continue and the next one was scheduled for 3rd March. On that date all four of the persons listed at paragraph 2 above were in attendance. It was stated that if an appeal were to be made, the Statement of Case would offer a revised ES to pick up on new information on updated modelling and other matters. No further information was provided at that time. I recall that at a later stage in the summer, and after the appeal was actually submitted, when we asked about what the revised ES would cover, we were told that the base date would be updated together with revised air traffic forecasts. No other information was provided.

I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Dated 7th day of April 2021



SIGNED:

Planning Advice Team
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Your Ref: UTT/18/0460/FUL
Our Ref: APP/C1570/W/20/3256619

12 August 2020

Dear Planning Advice Team,

Town and Country Planning Act 1990

Appeal by MAG

Site Address: Stansted Airport, Essex, CM24 1QW

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and the starting date

The appellant(s) has requested the Inquiry procedure. In accordance with s319A of the Act we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider the Inquiry procedure to be suitable.

The Independent Review of Planning Appeal Inquiries has been published and the Planning Inspectorate is implementing some of the recommendations, where we can and in line with our Action Plan (hyperlinks below).

<https://www.gov.uk/government/publications/independent-review-of-planning-appeal-inquiries-report>

<https://www.gov.uk/government/news/16-out-of-22-rosewell-recommendations-implemented-as-planning-inspectorate-publishes-updated-action-plan>

Please note that due to the current situation with Covid-19, it is not currently possible to follow all the recommendations in the Rosewell Review and some of the timescales for the appeal may differ from those in the Review.

The date of this letter is the **starting date** for the appeal(s). The timetable for the appeal(s) begins from this date.

The Inspector and Inquiry date

The Inspector appointed to decide the appeal and the inquiry date will be confirmed as soon as possible. We intend to schedule 40 sitting days.

Once the inquiry date has been confirmed please can the LPA secure a suitable venue as soon as possible and provide details.

The Inspector will hold a case management conference with the main parties by telephone, on a date to be confirmed. More details will follow including an agenda and details of how to call in. Each party should have a single spokesperson nominated to speak; the intended advocates should participate if at all possible. Please can you provide the name and email address of your spokesperson 7 days before the case conference, along with the names of any other participants.

- In advance of the case management conference, parties are requested to focus only on the matters that are in dispute and give detailed consideration as to exactly what topics could most efficiently be dealt with as a round table discussion at the inquiry (or even just by written submissions) in order to ensure that the inquiry is conducted in an efficient and effective manner, optimising inquiry time. This will be an item on the agenda for the conference. In light of the outcome of that discussion, the Inspector will direct how the evidence will be dealt with at the inquiry.

Sending documents to us and looking at the appeal(s)

A timetable for some elements of the case is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://acp.planninginspectorate.gov.uk/>

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. Not meeting the prescribed timetables may be a reason for the Inspector to initiate an award of costs (see section on costs below).

Unless agreed otherwise by the Inspector at the case management conference the following documents must be sent within this timetable.

By 19 August 2020

Using the model notification letter at the following link <https://www.gov.uk/government/publications/model-notification-letter-for-planning-appeals> you must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

- i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, **by 16 September 2020**. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal(s);
- iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Inquiry' either free of charge from you, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>;
- v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me.

By 16 September 2020

Please send me 2 copies of your statement giving **full** details of the case you will put forward at the inquiry including any documents, maps or plans you intend to refer to or use in evidence. The appellant may require you to send any such document (or relevant part of such a document). Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send a copy of your statement to the appellant(s) and you must send a copy of your statement to any statutory parties. I will also send you and the appellant(s) a copy of any comments received from other interested persons or organisations.

You must also submit a copy of the completed agreed statement of common ground, listing all matters that are not only agreed but also confirming areas where there is disagreement. Further guidance on producing statements of common ground (and a model form) is available from <https://www.gov.uk/government/publications/statement-of-common-ground>

You must allow anyone who wants to inspect the appeal documents a reasonable opportunity to do so. Your statement must say when and where this can be done.

By 4 weeks before the inquiry opening

You and the appellant(s) must send me 2 copies of your proof(s) of evidence (and a written summary if the proof is over 1500 words in length). You should also send a copy to any statutory party. A 'proof of evidence' is a written statement that you, the appellant(s) or a witness wishes the Inspector to take into account at the inquiry. Any summary should reflect the contents of the proof and should not include new evidence.

By 3 weeks before the inquiry opening

Please send a copy of the LPA inquiry notification letter.

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. A draft, or heads of terms, should be submitted before the case management conference. A final draft, agreed by all parties to it, must be submitted to me no later than 10 working days before the inquiry opens.

Statutory parties

'Statutory parties' are owners or tenants of the application/appeal site who made comments within the time limit on the application, or who do so on appeal. You must give details of any statutory parties at application stage on the questionnaire. I will tell you about any statutory parties who write to us at appeal stage, before your statement of case is due.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs - <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Elizabeth Humphrey

Elizabeth Humphrey

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Chief Executive: Dawn French

Ms E Humphrey
3/J Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

20th August 2020

Ref:APP/C1570/W/20/3256619

Our ref: ES/10849

Please ask for Elizabeth Smith on 01799 510417
email: esmith@uttlesford.gov.uk

Dear Ms Humphrey

**S78 TOWN AND COUNTRY PLANNING ACT 1990
APP/C1570/W/20/3256619: APPEAL BY MANCHESTER AIRPORTS GROUP PLC,
STANSTED AIRPORT, ESSEX CM24 1QW**

Thank you for your start letter dated 12 August 2020 in relation to the above appeal.

Please note that I am the solicitor at the Council with conduct of this appeal. In order to assist with the efficient running of the Council's case, I would be grateful if you could copy me into any correspondence from PINS, in addition to the Planning Advice Team at the Council.

I write concerning the timetabling for the Council's Statement of Case and agreed Statement of Common Ground.

The timetabling in the start letter provides that the Council's Statement of Case and agreed Statement of Common Ground must be sent to PINS by 16 September 2020. The timetable set out in the start letter is stated to be '*Unless otherwise agreed by the Inspector at the case management conference...*'. The case management conference is due to be held on 24 September 2020.

The Appeal Form was received by PINS on 24 July 2020, and by the Council on 26 July. The appeal is against the Council's decision overturning the recommendation of its officers. As a result, the Council is in the process of instructing a team of external expert consultants for the appeal.

In its Appeal Form, the Appellant has indicated that it intends to call 11 witnesses to address the 4 Reasons for Refusal, and the Council may need to call several expert witnesses in response. The process of instructing experts is necessarily taking some time, given the number of topic areas to be covered.

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It is also not assisted by the fact that we are in the summer holiday period and also a period when Covid-19 restrictions remain in place, both of which impinge on the availability of experts and the speed of the process.

For the above reasons, at this early stage, the Council respectfully seeks an extension to the Statement of Case and Statement of Common Ground deadlines to 14 October 2020.

This proposed extension has been raised with the Appellant and the Rule 6 party. The Rule 6 party has raised no objection. The Appellant agrees to an extension for the Statement of Common Ground but does not agree to an extension for the Statement of Case (see letter attached). In response to the points made by the Appellant, it should be noted that:

- (1) The pre-notification of appeal certificate notified the Council only of the fact of a forthcoming appeal. As set out above, it is the Appeal Form dated 24 July 2020 (and received by UDC on 26 July) which set out the Appellant's intended approach and number of witnesses, and PINS' start letter of 12 August which confirmed that approach as acceptable. In any event, all of these initial steps have occurred during the summer period when Covid-19 restrictions have been in place, which the Appellant accepts will have complicated the process of instructing witnesses.
- (2) The Statement of Case is intended to define the scope of the Council's case and should have regard to PINS' Procedural Guide, Annex J. The Appellant's Statement of Case raises the issue of whether there is any technical evidence or clear justification for the Reasons for Refusal on noise and air quality (paras. 4.12 and 4.20), and asserts that the Reasons for Refusal are unclear and imprecise (para. 4.3). Following the overturn of the recommendation, it is both necessary and reasonable for the Council to seek the input of expert witnesses to review its case for the appeal and to provide input into its Statement of Case, both to comply with the guidance in Annex J, and to provide a response to the Appellant's Statement of Case.
- (3) Whilst it is true that the timetable in the start letter follows the standard process for inquiries under the Determination by Inspectors (Inquiries Procedure) Rules 2000, the rules apply subject to amendment by the Inspector, as the start letter confirms. The proposal here is for an inquiry sitting for 40 days involving 3 main parties. An amendment to that standard timetable is clearly justified given the proposed length and scope of the appeal.
- (4) Most importantly, the Appellant does not raise any issue of prejudice in extending the timetable for the Statement of Case. The extension would not prejudice any party if the Inquiry starts on 12 January 2021.

Without the extension sought, the Council's Statement of Case will be unavoidably abbreviated, and less helpful to the other parties and to the Inspector than would otherwise be the case.

The Appellant's Statement of Case proposes to provide an Addendum Environmental Statement to refresh certain chapters of the Environmental Statement of 2018. For the sake of completeness, I would record that the Council has no objection to the principle of an Addendum ES which updates the base date, and it is noted that this is expected around the

end of September. The Council will of course need an appropriate period of time to respond to the Addendum, once it has been provided.

I would be grateful if you could pass on our request to the Inspector for his attention.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Smith', with a long horizontal flourish extending to the right.

Elizabeth Smith
Interim Legal Services Manager
Uttlesford District Council

20 August 2020

Elizabeth Smith
Legal Services Manager
Uttlesford District Council

By Email

Dear Elizabeth,

Re: Appeal APP/C1570/W/20/3256619 Against Refusal of Application UTT/18/0460/FUL, Stansted Airport.

Thank you for your letter in advance of your approach to the Planning Inspectorate (PINS).

I do recognise that a complicated process of council witness selection has been made necessary due to the overturning of the officer's recommendation to the Planning Committee and also that timing is impacted by circumstances surrounding COVID-19. Nevertheless, it cannot have come as a surprise to the Council, given the path the application followed during its determination, that an appeal was likely to occur and crucially, that external witness appointments would be required.

More specifically, the Council was formally aware that an appeal would be lodged following the *pre-notification of appeal certificate*, served on 10 July 2020. More than five weeks has elapsed since that point. The standard appeal process is surely well known to the Council, requiring the Council's Statement of Case and the joint Statement of Common Ground five weeks from the start letter.

With these facts in mind, I am not persuaded that there is reasonable justification for any delay to the initial phases of the appeal process, and in particular for the production of the Council's Statement of Case, which involves the production of "a succinct statement supporting the reasons for opposing the development"¹. This should be concise and highlight the differences between the Appellant and the Council. This exercise does not depend upon inputs from consultants who have yet to be identified let alone instructed, but upon the matters which were in the minds of the elected Members of the Council when they decided to overturn the previous conclusions of the Committee in 2018 and resolve upon the form and words of the reasons for refusal which are set out in the Decision Notice.

The Statement of Common Ground, however, is something that could arguably benefit from more time being allowed, and STAL would agree to a limited extension to reach a conclusion with the Council on this document.

With regard to your view concerning the Environmental Statement Addendum, there is not a prescribed PINS procedure for such a document. EIA Regulations still apply of course. Following our consideration of the PINS correspondence last week, I believe that it is possible to achieve the dates set out set by PINS for the Inquiry. This would involve the submission of the Addendum to PINS around the end of September,

¹ See PINS Procedural Guide for Planning Appeals July 2020, Annexe J.3.

thus allowing some two and a half months before the proofs of evidence are due (mid-December). This would allow time for consultation pursuant to the EIA Regulations.

I too am keen to understand the practical details of how PINS intend to organise the Public Inquiry. It must be presumed that this is a matter which has already given some consideration by PINS in setting the date. I am sure that are steps that can be taken by them, in conjunction with yourselves and ourselves, to ensure that a safe public event could take place, if that option is to be followed in preference to the virtual platforms which PINS has been using for inquiries post-COVID-19.

In order to assist in document sharing, I would be happy for this letter to be appended to any correspondence the Council sends to PINS on this matter.

Sincerely,



Alistair Andrew, MRTPI
Planning Manager
London Stansted Airport

Elizabeth Smith

From: Elizabeth Smith



From: Humphrey, Elizabeth <ELIZABETH.HUMPHREY@planninginspectorate.gov.uk>
Sent: 25 August 2020 17:42
To: Elizabeth Smith <esmith@uttlesford.gov.uk>
Cc: Alistair Andrew <Alistair.Andrew@magairports.com>; brian.ross@lineone.net; Gordon Glenday <gglenday@uttlesford.gov.uk>
Subject: [External]..RE: APP/C1570/W/20/3256619:Stansted Airport, Essex CM24 1QW

Dear Elizabeth

Thank you for your email and letters. I have discussed the matter with the Inspector and he advises that the request for an extension of time for submission of the Council's statement of case is refused. It is important that all parties are aware of the issues involved as soon as possible if the inquiry is to proceed efficiently. The Council should be able to provide details of the reasons why it refused planning permission and the case that it will make without delay.

The Inspector agrees that additional time would be useful for agreeing detailed matters within a Statement of Common Ground and he allows the requested extension of time to 14 October 2020.

Kind regards

Liz

Liz Humphrey

Inquiries and Major Casework Team

The Planning Inspectorate

✉: elizabeth.humphrey@planninginspectorate.gov.uk

🌐: <https://www.gov.uk/government/organisations/planning-inspectorate>

From: Elizabeth Smith <esmith@uttlesford.gov.uk>

Sent: 20 August 2020 12:24

To: Humphrey, Elizabeth <ELIZABETH.HUMPHREY@planninginspectorate.gov.uk>

Cc: Alistair Andrew <Alistair.Andrew@magairports.com>; brian.ross@lineone.net; Gordon Glenday <gglenday@uttlesford.gov.uk>

Subject: APP/C1570/W/20/3256619:Stansted Airport, Essex CM24 1QW

Importance: High

Dear Ms Humphrey

I am instructed to act by Uttlesford district Council the Respondent to the above matter.

I attach, from left to right a letter from myself to the Inspector and a copy of a letter from the Appellant setting out their view. They have no objection to this letter being disclosed to yourselves.

Please note that this email has been copied to them and to SSE, the Rule 6 party.

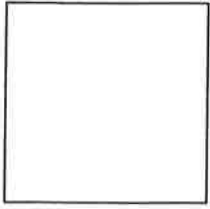
I would be grateful if this correspondence could be placed before the Inspector as soon as possible.

Yours sincerely

Elizabeth Smith

Elizabeth Smith
Interim Legal Services Manager
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

01799 510417

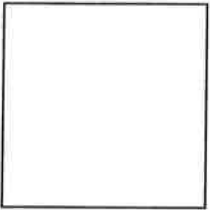


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The statements expressed in this e-mail are personal and do not necessarily reflect the opinions or policies of the Inspectorate.

DPC:76616c646f72





APPEAL REF: APP/ C1570/W/20/3256619

SITE ADDRESS: LONDON STANSTED AIRPORT, STANSTED, ESSEX

CASE MANAGEMENT CONFERENCE SUMMARY NOTE

1. The Panel of Inspectors appointed to conduct the Inquiry comprises Michael Boniface MSc MRTPI, Gareth Jones BSc (Hons) DipTP DMS MRTPI and Nick Palmer BA (Hons) BPI MRTPI. The Inquiry will open at 10.00am on Tuesday 12 January 2021, sitting for up to 40 days. A detailed programme of sitting days will be devised in due course and an early indication of likely timings for various witnesses would be useful.
2. For the time being, the appeal remains transferred for determination by the Panel. The parties will be informed if the relevant Secretary of State subsequently recovers the appeal for his own determination.
3. The Panel has had regard to the request from SSE and the appellant to postpone the inquiry beyond the winter months given the potential impacts of the current Pandemic. The impacts and duration of the Pandemic cannot be anticipated and it cannot be assumed that the situation will have improved by Spring. PINS has a duty to progress appeals efficiently and expediently and has worked hard to establish effective virtual and blended event options that allow appeals to proceed while minimising health risks and complying with Government guidelines. No exceptional circumstances have been identified that would prevent the appeal from proceeding in accordance with the existing timetable.
4. The Council may wish to draw the attention of interested parties to this Note. At the very least, it is recommended that a copy be posted on the Council's website.

Programme Officers

5. The Council has appointed two Programme Officers, Yvonne Parker and Helen Wilson. They are independent from all parties and will be responsible to the Inspectors. They have been appointed to assist with the organisation and smooth running of the Inquiry and will be the first point of contact for people with queries about procedure, timetabling and general organisation at the event. All correspondence relating to the appeal should now be sent to the Programme Officers (info@programmeofficers.co.uk), copying the PINS Case Officer (elizabeth.humphrey@planninginspectorate.gov.uk).

Main Issues

6. Having had regard to the submissions to date and discussions during the Case Management Conference, the main issues are:
 - 1) The effect of the development on aircraft noise;
 - 2) The effect of the development on air quality;

- 3) whether the development would conflict with UK obligations to combat climate change;
- 4) whether the development would be supported by necessary infrastructure.
7. Evidence will also cover the topics of air traffic forecasts and projections; socio-economic impacts and health matters though it was considered that these are sub-issues within the main issues identified above.
8. Matters raised by interested parties will also need to be addressed. Whether or not these are dealt with as main issues in the eventual decision will depend on the evidence heard in due course. It may also be the case that some of these issues could be dealt with through written submissions.

Format of the Inquiry

9. During the pandemic, PINS is progressing most casework by virtual means (using Microsoft Teams), as opposed to conventional physical events. The Panel will have regard to the position statements of the parties submitted before the CMC and to the discussions during the CMC. There is no consensus between the parties as to the most appropriate format.
10. The Panel will consider the matters raised and advise which format will be adopted in a separate note.

Dealing with the evidence

11. The Panel is minded that all the main issues be dealt with in the conventional format for Inquiries, by evidence in chief from the relevant witness for each side, which will then be cross-examined. A topic-based approach will be adopted for the main issues so that the parties' respective evidence on particular issues can be heard consecutively.
12. Other matters raised by interested parties will be addressed by the appellant and Council in the proofs of their respective planning witnesses and at the Inquiry itself as necessary.
13. To maintain focus on those areas where there is not agreement, a Position Statement on the main issues will be required, setting out in a tabular format, the key facts in dispute. These should accompany topic specific statements of common ground relating to the main issues.
14. SSE (and any other Rule 6 parties) should be invited to be party to the agreements or separate SoCG's could be produced.

Conditions

15. An agreed schedule of suggested planning conditions and the reasons for them, including references to any policy support, should be submitted with the general Statement of Common Ground. Careful attention must be paid to the wording, and the conditions will need to be properly justified having regard to the tests for conditions, in particular the test of necessity. Any differences in views on the suggested conditions, including suggested wording, should be highlighted in the schedule with a brief explanation given.

16. Any pre-commencement conditions will need the written agreement of the appellant and this should be expressly given in the SoCG.

Planning Obligations

17. A final draft of the planning obligations should be submitted two weeks before the Inquiry opens, accompanied by the relevant office copy entries and a CIL Compliance Statement prepared by the Council. The statement must contain a fully detailed justification for each obligation sought with reference to the CIL Regulations. The methodology for calculating any financial contributions should be included, along with details for how the money would be spent.
18. A signed and completed version of the S106 agreement should be submitted before the close of the Inquiry.

Core Documents/Inquiry Documents

19. A list of core documents should be agreed in advance of preparing your proofs so they can be properly referenced. The agreed list must be submitted with the proofs of evidence. Core Documents can be provided in electronic form only. They should be submitted to the Programme Officers (copying the PINS Case Officer), who will coordinate their organisation and referencing on a website for easy access by all parties throughout the appeal.
20. Any documents submitted once the Inquiry has opened will be recorded as an Inquiry Document on a separate list, overseen by the Inspectors and administered by the Programme Officers.
21. Three hard copies of Proofs (and summary proofs where more than 1500 words) and the Environmental Statement are needed for the Inspectors. These should be sent to the Programme Officers. The parties should make arrangements to exchange Proofs with each other, in consultation with the Programme Officers.

Inquiry Running Order/Programme

18. The Inquiry will open at 10.00 on 12 January 2021 though may start slightly earlier on subsequent days. We will aim to finish each day no later than 17.00, take a lunch break around 13.00, with mid-morning and afternoon breaks at suitable points in the proceedings. During virtual elements of the Inquiry, we will aim to sit for around 90 minutes at a time and will seek the parties' assistance in facilitating this.
19. The Inquiry is likely to open using a virtual format. After the Panels opening comments, opening statements from the main parties will be invited. After that, it is likely that the Inquiry will adjourn to allow for an accompanied site visit. We will then hear from interested parties who wish to speak, although there is scope for some flexibility if someone has difficulties that prevent them from speaking in the first few days.
20. A topic-based approach to hearing the evidence will be adopted. This will start with the formal presentation of evidence on noise matters – Council first, followed by Rule 6 and then the Appellant. We will work our way through the main issues, subsequently dealing with air quality, climate

change implications and infrastructure matters. It is understood that other topics will inform these broad categories, including air traffic forecasts and projections, socio-economic impacts and health matters. The ultimate order of witnesses will be determined after a review of the evidence, in consultation with the parties.

21. After hearing from all other witnesses, we will hear from each party's planning witness, who should consider the benefits of the scheme, outstanding matters raised by third parties and the overall planning balance.
22. On conclusion of that, the Inspectors will lead round table sessions on conditions and planning obligations.
23. That will be followed by closing submissions which should last no longer than 2 hours for each party. They should set out each parties' respective cases as they stand at the end of the Inquiry, with an electronic copy having been provided in advance, appropriately cross-referenced where evidence is relied on, for the avoidance of doubt.
24. The Inspectors will carry out a further accompanied site visit, which is likely to take place shortly after the Inquiry has closed. Its purpose is simply for the Inspectors to see the site and its surroundings. They cannot listen to any representations/discussion/arguments during the visit, but parties can point out physical features. A suitable route and itinerary should be agreed between parties for the visit.
25. An Inquiry programme will be circulated following receipt of your time estimates for each witness in due course, which may alter the duration of the inquiry. However, all parties should maintain their availability for the expected 40 days of sitting, noting that Monday's will not generally be a sitting day. Other than in exceptional circumstances, you are expected to take no longer than the timings indicated, which will require the co-operation of both advocates and witnesses.

Timings

26. The appellant is currently updating the Environmental Statement (ES) given the passage of time and having regard to concerns raised by the Council. The ES addendum must be submitted by **16 October 2020**. It is expected that the Council will consult upon the Addendum promptly after receipt.
27. The general SoCG is due by **28 October 2020**.
28. Given the proximity of the Inquiry to the Christmas break, Proofs (electronic and hard copies) will need to be submitted 5 weeks before opening, by **8 December 2020**.
29. More detailed topic specific statements of common ground and position statements dealing with the main issues should inform your proofs and are to be submitted at the same time (**8 December 2020**).
30. Final timings for openings and closings, evidence in chief and cross examination must be provided by **22 December 2020**.

31. The final draft S106 agreement is to be submitted no later than **29 December 2020** to be accompanied by the CIL Compliance Statement prepared by the Council and the relevant office copy entries.
32. Copies of notification letters to interested parties of the Inquiry arrangements should be provided to the Inspectors by **29 December 2020**.
33. There is no reference in the Rules or the Procedural Guide to supplementary or rebuttal proofs and PINS does not encourage the provision of such. However, where they are necessary to save Inquiry time, copies should be provided no later than **5 January 2021**. It is important that any rebuttal proofs do not introduce new issues. Before considering the use of rebuttals, the parties will be expected to explore whether the matters in question can be addressed via an agreed addendum to the Statement(s) of Common Ground.

Timetable for the submission of documents:

16 October 2020	Deadline for submission of: <ul style="list-style-type: none"> • Updated Environmental Statement
28 October 2020	Deadline for submission of: <ul style="list-style-type: none"> • General SoCG, including draft conditions
8 December 2020	Deadline for submission of: <ul style="list-style-type: none"> • all proofs • core documents list (and hard copies) • topic specific statements of common ground/position statements
22 December 2020	Deadline for submission of: <ul style="list-style-type: none"> • final timings
29 December 2020	Deadline for submission of: <ul style="list-style-type: none"> • final draft planning obligation and relevant office copy entries • CIL Compliance Statement (Council) • Inquiry notification letters
5 January 2021	Deadline for submission of: <ul style="list-style-type: none"> • any necessary rebuttal proofs
12 January 2021	Inquiry opens 10.00am

Costs

34. No application for costs is currently anticipated by any party. If an application is to be made, the Planning Practice Guidance makes it clear that they should be made in writing to the Inspector before the Inquiry or as soon as reasonably possible. You are also reminded that in order to support an effective and timely planning system in which all parties are required to behave reasonably, the Inspector has the power to initiate an award of costs in line with the Planning Practice Guidance. Unreasonable behaviour may include not complying with the prescribed timetables.

Other Matters

35. During the CMC, it was asked that the appellant make arrangements for an accompanied pre-inquiry site visit to familiarise the Panel with the proposal and the site. Having subsequently had regard to caselaw (*Anderson v SSCLG* [2015] EWHC 3005 (Admin)), which establishes that accompanied pre-inquiry site visits do not fall within the scope of the Inquiry Procedure Rules, that visit will now take place shortly after the Inquiry opens.
36. The advocates for the Council and appellant are asked to provide a note to the Inspectors explaining the relationship between the appeal scheme (a full planning application) and the previous planning permission on site, with its attendant restrictions imposed through conditions and planning obligations e.g. restrictions on aircraft movements. This is to be provided by 8 October 2020.

Michael Boniface, Gareth Jones & Nick Palmer
INSPECTORS

2 October 2020

23 September 2020

Elizabeth Humphrey
Planning Inspectorate
3/J Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Ms Humphrey,

Re: Appeal APP/C1570/W/20/3256619 by STAL, Stansted Airport, Essex CM24 1QW

This letter sets out STAL's position in respect of procedural issues arising in relation to its appeal, ahead of the first Case Management Conference (CMC) to be held on 24 September 2020.

In respect of the Inspector's pre-conference note and both the UDC and SSE's position statements received yesterday, the following points are addressed:

- 1) Preliminary Issues (Inquiry opening and length)
- 2) Main Issues
- 3) Format of the Inquiry
- 4) Dealing with the evidence.

I address each in turn.

1) Preliminary Matters

Firstly, STAL does not support any arguments for a delay to the opening of the Inquiry in order to allow SSE to renew its unsuccessful application for permission to appeal against the unsuccessful outcome of its judicial review claim in the High Court. We note the Inspector's comments yesterday in Mr Boulton's email to SSE and fully agree with the position taken by him.

Secondly, STAL initially suggested that the inquiry could sit for up to 40 days, but that is of course dependent on the length of evidence in chief and cross examination of each witness and the number of witnesses. STAL considers that this approximate length of time is still an appropriate working assumption, when taking into account the indicated number of witnesses and consideration of the number of interested parties that may attend. Moreover, the additional time which may be involved in conducting the inquiry virtually (in whole or in part) needs to be factored in. If some evidence is to be dealt with by written representations, then the number of sitting days would of course reduce.

We do not support the UDC's preference for the 40 days to be run entirely without a break. In our experience a pattern of 3-4 sitting weeks followed by a week-long break has usually been adopted by PINS for an inquiry

Enterprise House
Bassingbourn Road
Essex
CM24 1QW
United Kingdom

of this scale, often to try to align with school holidays. We do agree with the UDC's proposition that a break before closing submissions would be appropriate.

2) Main Issues

STAL agrees with the Inspector's initial views, and those of UDC, that the main issues are correctly identified in the pre-conference note. However, we note that these issues sit within a broader legal, policy and factual context which will need to be the subject of expert evidence at the inquiry, for example national planning and aviation policy.

3) Format of the Inquiry

STAL understands UDC's preference for a conventional inquiry format albeit incorporating measures to ensure socially distancing so far as possible. Nevertheless, we are concerned that an arrangement of the type proposed by UDC will be very vulnerable to one or more persons in the inquiry room falling ill and there being a need for everyone else to isolate, if we are to spend as long as 40 days together with a large number of personnel in the same room at the same time.

We are therefore of the view that the vast majority of the inquiry will need to take place virtually with some limited exceptions if participants are simply not able to participate virtually.

STAL notes SSE's concerns in respect of fairness. However, SSE do not provide reasons as to why virtual participation is not "transparent". Indeed, such a format could in fact lead to more people being able to view proceedings. Many inquiries have taken place virtually and the Inspector will be best placed to ensure fairness throughout the process.

In respect of any potential disadvantages surrounding access to necessary technology, STAL would be willing to assist in facilitating a Covid-19 safe facility at a location to be agreed, that would allow for any member of SSE, or any other interested party, to provide evidence to the Inquiry.

We are still reflecting carefully on the implications of the Prime Minister's statement yesterday. We do have some concerns about the inevitable requirement to bring numbers of people together for an extended period of time, even remotely, in order to accommodate a start date on 12 January 2021 and ten weeks of sittings during the winter period (in addition to the concentrated periods of preparation required during the preceding weeks in December and January). These issues should be aired during the CMC, including the possibility of a short postponement until the end of the winter period.

4) Dealing with the Evidence

STAL agrees that a conventional format is appropriate, and that a topic-based approach is the most efficient way to hear the evidence. The order of topics will need to be established once the proofs of evidence are available.

We agree with the order of appearance suggested by UDC and with a ½ day speaking limit for each party's closing submissions.

ES Addendum

In informal discussions with UDC and the PINS case officer, we had originally indicated a target date of end September for the publication of an ES Addendum, recognising the passage of time since the submission of the original ES. However, in its Statement of Case received last week, UDC has for the first time raised a

whole series of new questions relating to the content of the ES, notwithstanding that its officers, consultants and legal team agreed as recently as January this year that the ES was satisfactory. We are now required to review this new list of suggested deficiencies and to consider our response. It is likely that this exercise will take several weeks to complete, given the extent of the matters now raised and the need for us to engage with our consultant team.

It is therefore unlikely that the ES Addendum will now be available before 16 October 2020, which will still be 12 weeks before the intended start date of the inquiry.

Yours sincerely,



Alistair Andrew, MRTPI
Head of Planning Services
MAG

Elizabeth Smith

From: Philip Coppel <pcqc@2-3gis.co.uk>
Sent: 07 April 2021 09:35
To: Elizabeth Smith
Subject: [External] Fwd: Stansted Airport - Without prejudice
Attachments: Stansted - Condition 15 - 04 Dec 2020.pdf

----- Forwarded Message -----

Subject: Stansted Airport - Without prejudice

Date: Fri, 4 Dec 2020 11:16:36 +0000

From: Philip Coppel <pcqc@2-3gis.co.uk>

To: Thomas Hill QC <thomas.hill@39essex.com>, Philippa.Jackson@39essex.com

CC: Asitha Ranatunga <ar@cornerstonebarristers.com>

Dear Tom and Philippa

Attached is a draft condition - called "Condition 15" - as foreshadowed in my conversation with you (Tom) yesterday. It is sent on a "without prejudice" and "confidential" basis.

If considered to be of Tolstoyan length, my response is that it is the peace, rather than the war, half. Thus it seeks to reach comprehensive agreement between UDC and STAL in relation to what occupies 800+ pages of an addendum environmental statement.

You will want to read the draft first and then I would like to explain it to you: a bit like an explanatory memorandum to legislation (one annual Finance Acts, you might say). That is my object for this afternoon's call. At the point of my call, I neither expect nor want your response to the draft condition. Rather, the telephone call is my way of explaining how the condition works, the thinking behind particular paragraphs, and to answer any questions of understanding that you may so far have. Armed with that, I hope that you will be in a better position to think about the draft, to discuss it with your clients, to take instructions and, after that, to return to me with your views.

My hope is that the draft (or something substantially the same) will serve to bridge the gap between UDC and STAL. But if does not, it should certainly narrow the gap sufficiently that whatever remains can be jumped over.

You will notice that some bits of the draft are highlighted in yellow and that some boxes in Schedule B are not yet filled in. These are detailed technical items which I fully expect our respective experts would be able to agree upon.

With best wishes + 'till this afternoon

Philip

--

Philip Coppel
Cornerstone Barristers
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Ann Howells

Subject: RE: Stansted Airport application officer report - UTT/18/0460/FUL

From: "Maria Bowen" <Maria.Bowen@communities.gov.uk>

Date: 07/11/2018 at 10:22:36

To: "Ann Howells" <ahowells@uttlesford.gov.uk>

Cc: "kdenmark@uttlesford.gov.uk" <kdenmark@uttlesford.gov.uk>

Subject: RE: Stansted Airport application officer report - UTT/18/0460/FUL

Hi Anne,

Many thanks for the report and associated document. Apologies for not confirming receipt sooner as I have been out of the office.

I am writing to request that the council do not issue any decision notice, should the officer recommendation of support be agreed by the committee meeting next week, until the request/s for call in have been fully assessed. I am unable at this stage to give an exact time scale for this consideration process, however you will be updated on a regular basis. I would hope that this would fit in with the legal agreements/S106 which will inevitably be required in this case. Please can I ask you to confirm that your council agree to withhold issuing any decision by return e-mail.

If you have any queries please do not hesitate to contact me. I am currently out of the office so the best way to contact me will be via e-mail.

Kind regards,

Maria



**Ministry of Housing,
Communities &
Local Government**

Maria Bowen | Planning Officer | Planning Casework Unit

Ministry of Housing, Communities and Local Government

1st Floor, Coburg House, Mayflower Street, Plymouth. PL1 1DJ.

t: 0303 444 8041 | maria.bowen@communities.gov.uk

PCU General Enquiries: pcu@communities.gov.uk | t: 0303 444 8050

Visit us on GOV.UK:

<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>

Twitter - <https://twitter.com/mhclg>

From: Ann Howells [<mailto:ahowells@uttlesford.gov.uk>]

Sent: 22 October 2018 16:22

To: Maria Bowen

Subject: Stansted Airport application officer report - UTT/18/0460/FUL

Copy of report and agenda attached.

Regards

Ann

Ann Howells

Support and Business Manager

Uttlesford District Council

London Road

Saffron Walden

Essex CB11 4ER

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M: 07855 014951

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Planning Performance Agreement

This Planning Performance Agreement is an agreement between Uttlesford District Council, Essex County Council and the Applicant to provide a project management framework for handling this proposed major planning application from pre-application through to determination. This framework should improve and speed up the planning process by committing all parties to an agreed timetable containing "milestones" that make clear what level of resources and actions are required and ensure that all key planning issues are properly considered and resolved.

This agreement does not give a guarantee of planning permission. It relates to the process of considering development proposals and not the decision itself.

This agreement is made pursuant to Section 111 of the Local Government Act 1972 and Section 2 of the Local Government Act 2000.

Nothing in this agreement shall restrict or inhibit the Applicant(s) from exercising their right of appeal under Section 78 of the Town and Country Planning Act 1990.

Terms of reference please see PPA Charter unless specifically mentioned below.

Between:	Stansted Airport Limited (STAL)
and:	Uttlesford District Council and Essex County Council

Planning reference(s):	UTT/18/0460/FUL
Site location:	Stansted Airport
Description of development:	Airfield works comprising two new taxiway links to the existing runway (a Rapid Access Taxiway and a Rapid Exit Taxiway), six additional remote aircraft stands (adjacent Yankee taxiway); and three additional aircraft stands (extension of the Echo Apron) to enable combined airfield operations of 274,000 aircraft movements and a throughput of 43 million terminal passengers, in a 12-month calendar period.
Applicant team:	John Twigg, Planning Director john.twigg@magairports.com Alistair Andrew, Planning Manager (Principal Contact) – 07958 876723 alistair.andrew@magairports.com Keeley Briggs, Senior Planner keeley.briggs@magairports.com
Council team:	Uttlesford: stanstedairportplanningapplication@uttlesford.gov.uk Director – Roger Harborough 01799 510457 rharborough@uttlesford.gov.uk Assistant Director – Gordon Glenday 01799 510601

	<p style="text-align: center;">gglenday@uttlesford.gov.uk</p> <p>Development Manager - Nigel Brown – 01799 510467 nbrown@uttlesford.gov.uk</p> <p>Lead Planning Officer - Karen Denmark – 01799 510495 kdenmark@uttlesford.gov.uk</p> <p>Specialist Support Planning Officer – Jeremy Pine 01799 510460 jpine@uttlesford.gov.uk</p> <p>Project Manager – Ann Howells 01799 510468 / 07855 014951 ahowells@uttlesford.gov.uk</p> <p>Environmental Health – Marcus Watts 01799 510595 mwatts@uttlesford.gov.uk</p> <p>Legal Services – Simon Pugh – 01799 510416 spugh@uttlesford.gov.uk</p> <p>Essex County Council:</p> <p>Transport – David Sprunt</p> <p>Head of Planning Service – Graham Thomas</p> <p>Public Health – Laura Taylor Green</p> <p>Skills – Richard Bambridge</p> <p>Principal Planner (ECC planning DM lead) – Anne Clitheroe</p>
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1 Main issues and stakeholder involvement

This PPA aims to secure collaborative working between the Applicant, the Local Planning Authority (LPA) and Essex County Council other parties on the proposals for the development of this site.

The objectives of this PPA are to:

- Provide clarity in respect of response timescales; and
- Ensure all technical matters are resolved as far as possible.

These milestones/dates may be amended due to changing circumstances when agreed by all three signatories.

Fortnightly meetings to be held between MAG; UDC and ECC to commence w/c 5 March 2018 at 14h00

Matters to include in the PPA are as follows, this list may alter as the project moves forward:
Highways; Noise; Air Quality; Public Health; Ecology.

2 Key milestones

Milestone	Proposed achievement date	Responsible Team Member(s)
Submit application on USB for pre validation check	15 02 2018	Alistair Andrew
Submit eight paper copies for pre validation checks	21 02 2018	Alistair Andrew
Application is valid	22 02 2018	Karen Denmark
Consultation letters/emails sent	22 02 2018	Project Manager
Public Engagement Session with Manchester Airports Group	13 March 2018	Project Manager
Meeting to discuss Surface Access issues with Statutory Consultees	13 March 2018	Project Manager
Officer Workshop to advise UDC Members to	14 March 2018	Karen Denmark

introduce application		
Meeting to discuss Noise issues with Statutory Consultees	26 March 2018	Project Manager
Meeting to discuss Air Quality/Public Health issues etc with Statutory Consultees	28 March 2018	Project Manager
Officer Workshop to advise UDC Members on statutory consultees responses etc	11 April 2018	Karen Denmark
Meeting to discuss s106/mitigation with UDC Officers etc	May 2018	Project Manager
Officer Workshop to advise UDC Members on progress of application	9 May 2018	Karen Denmark
Meeting to discuss s106/mitigation with UDC Officers etc	7 June 2018	Project Manager
Officer Workshop to advise UDC Members	6 June 2018	Karen Denmark
Planning Committee date – consideration and resolution of the application	18 July 2018	Karen Denmark

3 Services, fees and payment

The fees payable by the applicant team to Uttlesford District Council for providing Officer time for the advice and services within the terms of this PPA in respect of the proposed development (excluding the statutory planning application fee) shall be no greater than [REDACTED] to UDC and [REDACTED] to ECC payable plus VAT as set out in the table below (officers will be recording their time and this will be reflected in the final invoice) to be paid in not more than three stages (UDC and ECC to invoice individually):

1. Within one month of validation of application
2. At 12 week following validation
3. Within one month of resolution of application

Any further fees required shall be subject to further negotiation and agreement between parties.

Services provided/officers		Description	Budget Hours	Budget Cost
Pre- application discussions including admin services [REDACTED] p/h plus VAT	<input checked="" type="checkbox"/>	40 hours between commencement of discussions to submission.	40	[REDACTED]
Planning Case Officer / specialist knowledge etc Including admin services [REDACTED] plus VAT	<input checked="" type="checkbox"/>	Including a dedicated officer to be contact point between UDC and STAL. All enquiries will be dealt with commensurate with the level of importance/relevance.	777	[REDACTED]
Essex County Council TBA @ [REDACTED] plus VAT	<input checked="" type="checkbox"/>	This may need to be reviewed following submission to take account of amount of hours/involvement required.	147.5	[REDACTED]
Consultants regarding Noise / Air Quality and Health Impacts	<input checked="" type="checkbox"/>	Consultant re noise specialist budget of [REDACTED]		[REDACTED]
TOTAL excluding VAT				[REDACTED]

4 Signatures

I hereby agree to the terms set out above:

For Uttlesford District Council as Local Planning Authority

Name: Gordon Glenday
Position: Assistant Director

Signature:



Date: 21 Feb 2018

I hereby agree to the terms set out above:

For Essex County Council as County Council

Name:
Position:
Signature: 

Date: 21 February 2018

I hereby agree to the terms set out above:

For the applicant team -

Name: Paul Willis
Position: Programme Director
Signature:



Date: 21 February 2018

Freedom of Information

Your enquiry, together with any response made by the Council, will be made available for public inspection unless you confirm in writing to us that the information provided is commercially sensitive. If the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to disclose information relating to the planning performance agreement they are obliged to do so unless the information is deemed exempt under the Act.

Note.

We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

If further services are required during the course of the agreement, a new agreement needs to be drafted and signed and sent to us with a completed notification form. This allows us to identify and process your documents urgently.

Ann Howells

Subject: RE: Extension of time request

From: "Alistair Andrew" <Alistair.Andrew@magairports.com>

Date: 04/07/2019 at 11:37:36

To: "Karen Denmark" <kdenmark@uttlesford.gov.uk>

Subject: RE: Extension of time request

Karen,

Thank you for the email.

I can confirm that STAL agrees to the 30th September for the extension of the application determination period. However, we would request that this date is not considered as a proxy for a late September Planning Committee to be scheduled, but rather that the Council deals with the matter as soon as possible; a point made by some of the Members at the EGM last week.

I look forward to hearing from you concerning proposals for Committee dates.

Regards

Alistair Andrew

Planning Manager

MAG

m: 07958 876723

e: alistair.andrew@magairports.com

www.magairports.com



From: Karen Denmark <kdenmark@uttlesford.gov.uk>
Sent: 04 July 2019 11:15
To: Alistair Andrew <Alistair.Andrew@magairports.com>
Subject: Extension of time request

Dear Alistair

As you are aware at a meeting of the Full Council on 28 June it was resolved to report the Stansted Airport application, reference UTT/18/0460/FUL, back to the Planning Committee to consider new material planning considerations and the content of the s106. Due to the additional work that this will require I therefore request an extension of time to 30 September 2019 to enable the Council to prepare the reports and to advise members of the new Planning Committee about the application.

Kind regards

Karen Denmark

Development Management Team Leader



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Ann Howells

Subject: RE: [External]..35+: Extension of Time

From: "Roger Harborough" <rharborough@uttlesford.gov.uk>

Date: 20/12/2019 at 14:40:34

To: "Alistair Andrew" <Alistair.Andrew@magairports.com>

Cc: "Karen Denmark" <kdenmark@uttlesford.gov.uk>, "Ann Howells" <ahowells@uttlesford.gov.uk>

Subject: RE: [External]..35+: Extension of Time

Alistair

Thank you for offering to further extend the time for determination of the application until 24 January 2020. This extension is agreed.

Regards

Roger Harborough

Director of Public Services

Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex CB11 4ER

T: 01799 510457

E: rharborough@uttlesford.gov.uk

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[facebook.com/UttlesfordDC](https://www.facebook.com/UttlesfordDC)

twitter.com/UttlesfordDC

From: Alistair Andrew <Alistair.Andrew@magairports.com>

Sent: 20 December 2019 14:37

To: Roger Harborough <rharborough@uttlesford.gov.uk>

Subject: [External]..35+: Extension of Time

Roger,

I neglected to mention earlier when we spoke about any potential request from the Council to extend the time of the application determination period.

I would confirm that in light of the recent committee date announcement, that STAL would be willing to agree to extend the time to that same date, namely 24th Jan 2020.

If you would confirm agreement by return, I would be grateful.

Alistair Andrew

Planning Manager

MAG

m: 07958 876723

e: alistair.andrew@magairports.com

www.magairports.com



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Ann Howells

Subject: 35+

From: "Alistair Andrew" <Alistair.Andrew@magairports.com>

Date: 29/01/2020 at 08:57:10

To: "Karen Denmark" <kdenmark@uttlesford.gov.uk>

Subject: 35+

Karen,

I am happy for you to extend the application time to today, in order for the decision notice to be issued accordingly.

Thanks

Alistair Andrew
Planning Manager
MAG
07958 876723
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