

Stansted Airport section 106 Update Schedule January 2020

S106 Topic	UDC Comments	Change / Action Taken	Proposed Change to S106	Drafting Change Made
'Reasonable Endeavors'	Change to 'best' endeavors from 'reasonable'	No Further Action	None - term & definition has passed legal scrutiny.	N/A
Airspace change / SIGS	How would the noise contours be affected by changes to airspace management in the vicinity of the airport? Should there be provision for a review of the SIGS in the light of such changes	Propose S106 Amend	Insert to Part 1 an amendment or new clause at 2.2 (a) for conclusion of a review of SIGS boundaries at a time no more than 6months from the unchallenged date of confirmed airspace change (in conjunction with UDC).	Included at Schedule 3, Part 1, paragraph 2.2(a)
SIGS scheme	How the new scheme will work in practice, due to reports that historically the process proved difficult for claimants.	Propose S106 Amend	Will include a new clause #3.4 in Part 1 about ensuring promotion of SIGS with UDC.	Included as new paragraph 3.4 of Schedule 3, Part 1
SIGS scheme	Find out how many qualifying properties there are in each tier of the enhanced scheme.	Clarification Letter Response	None - letter sets out the houses included in SIGS is ~2000	N/A
Impact on schools	Hatfield Heath Primary School subject to air noise disturbance. New technology may help. Explore 'Anti-sound' tech for schools and other outside educational facilities.	Propose S106 Amend	Insert to Part 1 a reference to 'all available technologies' at 2.2 (c).	Inserted "including any newly available technology" at paragraph 2.2(c)
Highway schemes. J8 M11	STAL to increase its contribution from £1.16m to £2m.	No Further Action	None - the value of the contribution was calculated by HE QS and linked specifically to the works proposed. Risk is included in sum and the value is index linked to ensure no shortfall in funding available.	N/A

S106 Topic	UDC Comments	Change / Action Taken	Proposed Change to S106	Drafting Change Made
Local Bus Fund - ULEV	Use funding to lever investment by operators only for ultra-low emission vehicles to improve air quality and reduce carbon emissions.	Propose S106 Amend	Add new clause #4.3 to Part 2 to include a "prioritisation of grants that include the use of ULEV vehicles where business case exists".	Inserted amendment at Schedule 3, Part 2, paragraph 4.1
Local Bus Fund.	Request to increase contribution from £1m to £2m.	No Further Action	None - The STL is capable to providing additional funding to bus network development if the SATF considers it necessary in the longer term.	N/A
Local Bus Fund.	Concern that non-commercial routes serving local communities would be lost when ECC subsidy ends or STAL Fund closes. Change from 5years post 43mppa to 10 years sought.	No Further Action	None - The STL is capable to providing additional funding to bus network development if the SATF considers it necessary in the longer term.	N/A
Local Roads Fund.	i) Change coverage from 5 mile radius to 6 mile (captures Hatfield Heath).	Propose S106 Amend	Amend definitions to Part 2 ("Local Roads Network Fund") to remove '5 mile radius' to '5 miles from boundary of airport'	Definition amended as proposed
	ii) Change "within Essex" to "within UDC"	No Further Action	None - there are no parts of Uttlesford that are not in Essex. Essex is named as it is the Highway Authority	N/A
	iii) Consider adequacy of the size of the fund	Propose S106 Amend	Amend definitions to Part 2 ("Local Roads Network Fund") to alter value to £1m.	Definition of "Local Roads Network Fund" amended with the additional £200,000 to be available specifically for measures relating to Fly Parking controls and restrictions. Definition of "Fly Parking" added.

S106 Topic	UDC Comments	Change / Action Taken	Proposed Change to S106	Drafting Change Made
Sustainable Transport Levy	Increase levy (in line with pax increase?). Parking transactions from 25p to 35p; ESD from 10p to 40p.	No Further Action	None. Fund receives ~£600k pa at present. As pax grows, the fund increases. On current trends, by 2028 this will be £1.6m PA and thus over £12m in total (£20m by 2033).	N/A
Local Roads Monitoring	Change date of cessation from 5 years to 10 years post 43mppa.	Propose S106 Amend	Add to Part 2 a new #3.2 to introduce a fly parking monitoring commitment (via SATF) to link to increase in Local Road Funding.	Annexure 6 "Scope of Local Road Monitoring Scheme" amended to refer specifically to Fly Parking monitoring. Fly Parking funding and monitoring to continue after 5 years (paragraphs 2.2 and 3.1.2).
Community Trust Fund	Include all UDC Parish & Town Councils.	Propose S106 Amend	Amend Annex 10 para 8 & 9 to include TCs as well as PCs	Annex 10 amended as proposed
S106 compliance monitoring	Ask STAL to fund the cost of monitoring all S106 compliance. This is emerging standard practice in the planning system nationally for all S106 Agreements. UDC bringing in and a new policy is 'in draft' at this time.	Propose S106 Amend	Add monitoring to Clause 12 (new #12.8 and 12.9) for £75k worth of monitoring (25k upfront + 10years at £5kpa).	Clause 12 amended as proposed (12.8 and 12.9)
Local Jobs	Concern that opportunities of local residents to get access to jobs at airport	Propose S106 Amend	Add commitment to local job fairs at new Part 3, #2(e)	Inserted in para 2(b) of Schedule 3, Part 3

S106 Topic	UDC Comments	Change / Action Taken	Proposed Change to S106	Drafting Change Made
Skills, Education, Harlow College.	Explore the provisions in the lease for the FE College in case more accommodation is required to increase capacity / facilities	Clarification Letter Response	None - clause is already drafted 'inclusively' to cover any future lease amends or new leases agreed. Refer to recently announced Phase 2.	N/A
Surface Water Discharge quality monitoring	The monitoring scheme is due to a planning condition on the 2008 25+ plus permission.	Clarification Letter Response	None - EA provides the necessary assurance for the process	N/A
Calibration certificates for noise monitoring equipment	Query re validity and transparency of noise modelling.	Clarification Letter Response	None - certificates can be supplied. STAL to retain appropriately qualified experts.	N/A
S106 Mitigation – overall	STAL not putting enough in. Cf Luton current consultation re value of their mitigation.	Clarification Letter Response	None - see separate schedule of S106 values	N/A
General	<p>The significance of aircraft fleet mix assumptions to the assessment of noise effects, air quality impacts and carbon emissions has been raised. Are the fleet renewal rate assumptions robust, and what would be the impact of a 5year slippage, for example, in achieving the improvements anticipated in the ES by 2028 in aircraft and engine efficiency, air traffic management and operations and sustainable aircraft fuels.</p> <p>Is there a case for a supplement to the ES to update it to take account of changes in circumstances since the 2016 base date for the ES work</p>	Clarification Letter Response	Sensitivity tests were already included in ES. There is no need to re-run as the assumptions are 'realistic' in line with standard EIA best practice and allow for delay and changes of circumstance.	N/A

S106 Topic	UDC Comments	Change / Action Taken	Proposed Change to S106	Drafting Change Made
Community Trust Fund.	Seek to negotiate an increase in the annual contribution to the Fund from £150,000 to £500,000	No Further Action	No justification for change. Recent case law supports no change.	N/A
Air Quality Modelling.	Query the independence of the data obtained, UDC to appoint consultants at STAL expense? Joint funding of a new 'green' post in UDC.	No Further Action – see S106 compliance monitoring amendment	N/A	N/A
Monitoring of biodiversity beyond just Eastend Wood and Hatfield Forest.	Possible joint funding of a council post for the monitoring of the environmental impacts in the district and enhancement initiatives.	No Further Action – see S106 compliance monitoring amendment	N/A	N/A

Further Notes

- a) Calendar dates throughout the agreement document have also been amended to reflect the passage of time since the original agreement draft in March 2019.
- b) Previous amendments to Rail discount scheme (June 2019) are also incorporated in to the latest 2020 draft agreement.