



HEATHROW **COMMUNITY**  
ENGAGEMENT BOARD

**Kaimi Ithia**

Head of Community Engagement  
Heathrow Expansion Programme  
The Compass Centre, Nelson Road,  
Hounslow, Middlesex, TW6 2GW

31 October 2018

Dear Kaimi,

We held our residents' meeting at Colnbrook Village hall on 17 October. We had intended to use the meeting to involve residents from the perimeter villages in the selection of a residents' chair. However, after careful consideration, the collective view of the HCEB Team and the Board of Directors was that none of the candidates that had applied for the role met the essential criteria. Our Board decided that we should consult the communities further on how their needs could be best represented.

Rather than cancel the meeting, we decided that the meeting should go ahead so that we could explain directly to the residents the outcome of the process and to ask them what they thought might work best going forward. We also took questions from the floor and agreed to take forward a number of actions with Heathrow.

Most of the issues raised relate to how Heathrow communicates with residents and the timing of the communications. The Land Referencing letters that were recently sent to residents within the CPZ highlighted an example of what some of the residents were concerned about. Some hold the view that the questions that were asked in the letters were premature given that the DCO has yet to be granted. Additionally, some residents felt that a number of unnecessary questions were being asked and were worried about how much of their data would enter the public domain thereby exposing them to unwanted marketing and unsolicited approaches from third parties. These residents were concerned that the information collected goes into a public document called the Book of Reference and that the information that will be available will be more than is included in the electoral register. Residents were worried that they would be asked again for the same information should it become out of date. These residents were also concerned that information that had been provided to Heathrow in the past was now being used for the proposed 3<sup>rd</sup> runway even though that data was not collected for this purpose.



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I understand the necessity and potential benefits of Heathrow communicating effectively with local residents. I also understand that the best possible understanding of the local area is important as the compensation package is planned in detail. However, some residents felt that the letters inaccurately implied that the DCO was a “done deal” and I am sure you will agree how important it is that communication is accurate in its content and written in such a way so as not to cause unnecessary distress.

In addition to the concerns above, a number of residents have asked questions which I have summarised below. I would be grateful if you could provide me with an answer to each of them to both aid our understanding of the issue and so that we can share the answers with concerned residents.

- What is the purpose of collecting the information at this stage of the process?
- What will the information provided by residents be used for?
- How will the information be shared with any third parties?
- Who are the third parties that are referred to in the Guidance?
- Will the information be used in any way for marketing purposes?
- Will the information provided be included in any public documents including, but not limited to, a *Book of Reference*? If so, what is the purpose of such a document and why does it need to be public?
- Were all the questions asked because Heathrow has a legal obligation to ask them?
- Will the information gathered at this early stage in the process be accurate at the point that it comes to be used in a number of months or years time? What plans are in place to ensure that the information gathered remains relevant?

Some of the residents have said that they do not wish to receive the Land Referencing letters or similar letters, and so I am wondering whether it would be possible to take this into account as part of your communication strategy. A suggestion that was made was that Heathrow could, in advance of future letter campaigns, meet with residents’ groups such as HASRA to explain their strategy and listen to the concerns that residents’ have. I understand that some members of HASRA may have refused to meet with Heathrow in the past, but given what we were told at the residents’ meeting it may be that HASRA will now be open to an approach. Another suggestion was to provide residents with a list of key dates for letter campaigns with the reasons for these in advance so that they know when to expect letters and understand the purpose of them. Picking up on the point of a communication strategy, will it be possible for the HCEB to see this so that we might comment as appropriate?



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Turning now to the planned consultations, the residents present also asked whether it would be possible for them to see the questions that are to be asked in advance so that they may help to shape them. There was concern that the questions asked in CONS1 were leading in nature thereby limiting the type of answers that could be given. If it is not felt appropriate for the questions to be shared in this way, would the HCEB be given an opportunity to consider the proposed questions?

I do understand that the manner and method of communication is ultimately a matter for Heathrow, but the HCEB has a clear role to play in regard to Heathrow's engagement strategy. Whilst I appreciate that Heathrow asked for our views on the letters recently sent this was purely in relation to content, there was little context available to us and we were given less than two hours to comment. Going forward, it would be helpful to be given more time and context to consider requests like these.

Rachel will be publishing a blog shortly, and it will include that we have written to you to ask these questions as promised at the residents meeting and that we will be publishing both our letter and Heathrow's response

I should be grateful if you could respond by the 9 November 2018.

I look forward to hearing from you.

Yours Sincerely,

Guido Liguori  
Chief of Operations  
Heathrow Community Engagement Board

Guido Liguori  
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By EMAIL ONLY

12 November 2018

Dear Guido,

Thank you for your letter dated 31 October 2018, which provided an update on the HCEB residents' meeting in Colnbrook on 17 October. The letter also shared with us several questions from HCEB's engagement with residents at the meeting, where concerns about our communications approach and recent letter about land referencing was raised.

Communicating and consulting with local communities on our proposals to expand the airport is vital because it provides residents with the opportunity to influence the way the project develops, by providing feedback on potential options that will help to shape the way in which their community might develop. It also helps us to obtain important information about the economic, social and environmental impacts of the proposed project on the community, helping us to understand whether certain project options are unsuitable and identify potential mitigation measures that could be implemented to help alleviate any impacts.

As you will be aware, the proposed expansion of Heathrow Airport is defined as a Nationally Significant Infrastructure Project (NSIP) and is therefore subject to the Planning Act 2008. The Act places statutory requirements on Heathrow Airport Limited as the 'applicant' and 'promoter' of the project, including amongst other things to consult with local communities before applying for a Development Consent Order (DCO).

Notwithstanding the legal requirement, as a business, we are committed to keeping residents informed about the process and key milestones. In June, ahead of the parliamentary vote on the Government's Airports National Policy Statement, we sent letters to over 5,000 homes outlining the range of communications residents could expect to receive from us (depending on the outcome of the vote). Included in the letter were the details of the Drop-in information sessions we held in July to address questions about the process following the vote and to provide residents with key information about the communications we would be sending them over the coming months – including land referencing. In September we also sent out an Expansion Update newsletter, which contained more information about the DCO process and key project timelines. The update included high-level information about the timings for our statutory consultation planned for next year.

With our statutory consultation now planned for June next year, we need to undertake land referencing at this stage in the DCO application process to ensure we have the information needed to ensure we are consulting with those people and organisations that have a legal interest in property or land that may be affected by our proposed expansion plans. The timing of the land referencing letters is in line with our intention to consult in 2019.

With regards to concern from residents that the land referencing letter implied that 'the DCO was a done deal'. We have been careful to make clear in our communications that this is not the case, for example, by referring to 'the proposed expansion' of the airport, and by acknowledging that

we cannot give residents certainty at this time over our plans as they are subject change from, among other things, feedback from public consultation next year. We also noted in the land referencing letter that we do not anticipate a decision on our DCO application before 2021. However, following feedback received in your letter and from residents at the Local Focus Forum meeting, we propose to provide further information in our land referencing communications going forward to help residents' understanding of the DCO process. We will include information to signpost residents to helpful sources of independent information about the process.

## **Residents Questions - Land Referencing**

As requested, please see the following responses in answer to the questions summarised in your letter - your points are bold and our responses are italicised.

### **Q 1. Residents felt that a number of unnecessary questions were being asked.**

*Section 44 of the Planning Act 2008 requires an applicant to make "diligent enquiries" to establish who has an interest in the land. Some of the information is available from publicly available sources (such as the Land Registry). However, certain interests can only be confirmed by contacting residents and businesses through the land referencing process. The Land Interest Questionnaire has been designed to elicit only the information that Heathrow requires in order to comply with its statutory obligations to identify people and organisations with a legal interest in property or land that may be affected by the proposed expansion project.*

*The questionnaire is designed to ask the fewest questions necessary to help us ensure Heathrow's obligations under the Planning Act are met.*

### **Q.2 Residents were worried about how much of their data would enter the public domain thereby exposing them to unwanted marketing and unsolicited approaches from third parties. These residents were concerned that the information collected goes into a public document called the Book of Reference and that the information that will be available will be more than is included in the electoral register.**

*The record of a person's interest in property or land will be published in the Book of Reference. We have a legal duty to make the Book of Reference available for inspection by the public pursuant to s56(6) of the Planning Act 2008 and Regulations 8 and 9 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. It is also submitted to the Planning Inspectorate and they may decide to publish the Book of Reference on their website. The Book of Reference is required by law to include the name and address of the person or company which has an interest in the land or property and the nature of the interest (Regulation 7 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. The Book of Reference will not include telephone numbers or email addresses of anyone listed. The electoral register does not include details of a person's interest in land or property.*

*Examples of Books of Reference and the information included in them are available on the [Planning Inspectorate's website](https://infrastructure.planninginspectorate.gov.uk/) at <https://infrastructure.planninginspectorate.gov.uk/> in relation to submitted DCO applications.*

### **Q.3 Residents were worried that they would be asked again for the same information should it become out of date.**

*Heathrow has a responsibility to ensure the information it holds on interests in land and property is up to date throughout the process and will need to contact residents and businesses periodically to confirm information is unchanged or to record any changes.*

*The information will be reconfirmed before Heathrow's statutory consultation to ensure the information held remains accurate. This will be used to issue consultation letters, notifying all*

*interested parties of the statutory consultation periods and how to have their say on the proposed scheme.*

*Closer to the submission of the DCO application, our Land Referencing service providers will issue requests for confirmation to all people and organisations understood to have a legal interest in land or property that may be affected by the proposed Expansion project. This is to ensure that the information is accurate for inclusion in the Book of Reference and that those who are required to, receive a formal notification that our application for planning permission has been accepted for review so that interests can be represented in the planning examination process.*

*Where Land Interest Questionnaires are not responded to, our land referencing service providers will follow up by phone, email and, where unable to make contact may visit the property to confirm receipt of the questionnaire and to provide support in completion, to ensure there is as accurate a record as possible for the planning process.*

**Q.4 Residents were also concerned that information that had been provided to Heathrow in the past was now being used for the proposed 3rd runway even though that data was not collected for this purpose.**

*In respect of Land Referencing, information collected by Heathrow as part of the land referencing exercise between January 2017 and April 2017 was for the purposes of the Heathrow expansion project. This was explained to residents at the time, including in the letter from Heathrow dated 3 January 2017. However, if the concerns raised relate to other information that has been provided to Heathrow, please let us know.*

**Q.5 What is the purpose of collecting the information at this stage of the process?**

*Heathrow is required to carry out the land referencing exercise at this stage in the DCO process. We have a statutory obligation pursuant to s42 of the Planning Act 2008 to consult with the people and organisations listed in s44 of the Planning Act 2008 prior to making an application for the DCO. This includes consulting with those people and organisations that have a legal interest in property or land that may be affected by our proposed expansion plans. This statutory consultation must happen before the DCO application is made so that any representations made by people or organisations with an interest in the land can be taken into account in the DCO application.*

**Q.6 What will the information provided by residents be used for?**

*In our Land Referencing Guidance Sheet we set out that the information will be used to fulfil our statutory obligations in connection with the expansion project, including to contact residents and organisations keeping them informed of our plans for the proposed expansion of Heathrow, and also to engage further in connection with developing and progressing those plans.*

*As well as contacting residents about our consultations on the proposed project, and notifying them when the DCO application has been accepted for review by the Planning Inspectorate, we may engage with residents on other aspects of the proposed expansion of the airport. For example, providing project updates summarising progress, requests to access land or properties to carry out environmental surveys, information about Heathrow's compensation schemes and discussions about purchase of properties. Where land or property is required for the proposed development, Heathrow will seek to acquire that land by voluntary purchase wherever practicable and it is important that Heathrow can identify and engage with those residents and business owners in respect of this.*

*A limited amount of information will be used by Heathrow to produce statutory documents that are required by law. This includes a Book of Reference, which is submitted as part of the DCO application and will be a publicly available document. If residents provide us with their mortgage*

reference then this will be shared with the lender or mortgagee to help them to check their details when we send them the consultation information or statutory notices.

## **Q.7 How will the information be shared with any third parties?**

Heathrow will use information collected in line with all applicable laws concerning the protection of personal data, including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Heathrow recognises its role as Data Controller and is committed to protecting all personal information collected in the course of the land referencing process.

The information will be processed by our Land Referencing service providers and held on Heathrow's behalf, in secure databases. WSP UK Limited is currently carrying out the Land Referencing and is accredited to ISO27001, the international information security standard and all data is stored in its secure databases.

Apart from the information published in the Book of Reference, we will keep information we receive from residents within Heathrow and our trusted third parties except where disclosure is required or permitted by law, for example to government bodies and law enforcement agencies or (in the case of your mortgage reference) to your lender or the mortgagee.

Information collected during the land referencing process, is primarily processed in the UK. WSP, one of Heathrow's trusted third parties, may transfer data overseas to one of its group companies with the appropriate safeguards in place.

## **Q.8 Who are the third parties that are referred to in the Guidance?**

As noted, the Land Referencing Guidance Sheet explains that Heathrow and trusted third parties will have access to the information. The information will be processed and held by our Land Referencing service providers, and shared with their subconsultants assisting them on this project (e.g. for printing purposes).

The information is required to fulfil certain statutory duties under the Planning Act 2008 and for other purposes in connection with the expansion project, and we will require other trusted suppliers to handle this information to support fulfilling those duties. This includes professional advisors and firms contracted to support the preparation and delivery of our DCO application. These firms are required to handle this information in accordance with data protection laws.

## **Q.9 Will the information be used in any way for marketing purposes?**

Heathrow will not share the information with third parties for direct marketing purposes, or use it for the purposes of promoting goods or services other than as explained below (see in particular in relation to Heathrow's compensation schemes).

Heathrow will use the information to fulfil its duties under the Planning Act 2008 and for other purposes in connection with the proposed airport expansion. Heathrow will contact residents and organisations on a range of matters relating to the proposed expansion of the airport, given our wish and also our duties to engage with those potentially affected.

This could range from updates on the progress of our plans, requests for access to carry out environmental surveys, notification of consultations, and information in respect of Heathrow's compensation schemes (which might, for example, include residents and businesses being sent information about recommended or appointed suppliers or professional advisors in relation to these schemes).

## **Q.10 Will the information provided be included in any public documents including, but not limited to, a *Book of Reference*? If so, what is the purpose of such a document and why does it need to be public?**

As set out in the Land Referencing Guidance Sheet:

*“The record of your interest in the property or land will be published in the Book of Reference. We have a legal duty to make the Book of Reference available for inspection by the public. It is also disclosed to the Planning Inspectorate and they may decide to publish the information.”*

*The Book of Reference is one of the documents that must accompany a DCO application that contains an application for compulsory acquisition powers. It is a record of those parties that have a legal interest in land affected by the project and any associated compulsory acquisition.*

*The DCO application process will include other legally required documents, including a Statement of Reasons and draft Development Consent Order, which will also be published. These documents will reference and reflect the information held in the Book of Reference. None of the details provided in these documents will go beyond the information contained in the Book of Reference.*

**Q.11 Were all the questions asked because Heathrow has a legal obligation to ask them?**

*Yes. The Land Interest Questionnaire has been designed to elicit only the information that Heathrow requires in order to comply with its statutory obligations to identify people and organisations with a legal interest in property or land that may be affected by the proposed expansion project.*

**Q.12 Will the information gathered at this early stage in the process be accurate at the point that it comes to be used in a number of months or years time? What plans are in place to ensure that the information gathered remains relevant?**

*Heathrow has a responsibility to ensure the information it holds on interests in land and property is up to date throughout the process and will need to contact residents and businesses periodically to confirm information is unchanged or to record any changes.*

*The information will be reconfirmed before Heathrow’s statutory consultation to ensure the information held remains accurate. This will be used to issue consultation letters, notifying all interested parties of the statutory consultation periods and how to have their say on the proposed scheme.*

*Closer to the submission of the DCO application, our Land Referencing service providers will issue requests for confirmation to all people and organisations understood to have a legal interest in land or property that may be affected by the proposed Expansion project. This is to ensure that the information is accurate for inclusion in the Book of Reference and that those who are required to, receive a formal notification that our application for planning permission has been accepted for review so that interests can be represented in the planning examination process.*

*Where Land Interest Questionnaires are not responded to, our land referencing service providers will follow up by phone, email and, where unable to make contact may visit the property to confirm receipt of the questionnaire and to provide support in completion, to ensure there is as accurate a record as possible for the planning process.*

**Q.13 Some residents have said that they do not wish to receive the Land Referencing letters or similar letters, would be possible to take this into account as part of your communication strategy.**

*As Heathrow has a statutory obligation to collect certain information about interests in land and property as part of the DCO process, it must contact residents in order to satisfy the legal requirements.*

*Heathrow is bound by the requirements of the Planning Act 2008 and must demonstrate that it has made diligent enquiries to obtain the necessary information and keep it up-to-date. Whilst residents may choose not to provide the information, Heathrow is nonetheless duty bound to demonstrate that it has made reasonable efforts to obtain it and maintain the accuracy of the*

*information throughout the process. Heathrow also has a duty to provide affected parties with certain documents, which the law directs us to provide, to make sure those affected are kept informed of the Expansion plans, regardless of whether the recipients wish to have them.*

## **General communications approach**

Your letter also put forward a request from residents that asked for a list of key dates for future letter campaigns along with the reasons for the letter, so that residents know when to expect letters and understand the purpose of them. We welcome the opportunity to work with HCEB to understand the best way to provide this information.

We fully appreciate the volume of information and communications we provide may in some cases be considered unwelcome, and we would welcome a discussion with you on how we might develop our communications strategy that better balances the requirement to keep residents informed and involved in our developing plans whilst not overloading them.

With regards to the suggested meeting with HASRA, we are of course happy to meet with HASRA, and our most recent meeting with some of the members was held on 5 November 2018. We will follow up this new request with the Chair.

## **Consultation questions**

In relation to the request from residents to see consultation questions in advance so that they may help to shape them, this is something we are pleased to try and accommodate ahead of the January 2019 consultation. In addition to sharing the questions with the HCEB itself, we would appreciate the opportunity to engage with residents on the wording of the draft questions. We are currently developing the consultation questions alongside our other consultation materials within a relatively constrained programme, but believe that an event held during the week commencing 19 November would allow residents to comment at the appropriate stage. We suggest that this should take place at a session arranged by the HCEB, to which HCEB would invite residents and which Heathrow would attend. I would ask that you consider our suggestion of an HCEB led event and contact me as soon as possible, so that arrangements can be made in good time.

I hope this letter provides the answers to the questions from residents, please do not hesitate to contact me should you require any further information.

Yours sincerely



Kaimi Ithia  
Head of Local Community Engagement



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**Kaimi Ithia**

Head of Community Engagement  
Heathrow Expansion Programme  
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TW6 2GW

Wednesday, 14 November 2018

Dear Kaimi,

Thank you for your letter dated 12 November, with the answers to the questions I put to you on behalf of local residents in my letter dated 31 October 2018.

As you are aware, today we will be publishing both our original letter to you and this one, together with your response.

I welcome your willingness to engage with residents on the wording of draft questions, however I do not consider it realistic to hold an event in the week commencing 19 November, as it does not provide people with sufficient notice. Instead, I propose to ask our Board and Strategic Advisory Groups to provide feedback, making use of their own networks, where appropriate. I have discussed this approach with Heathrow's Consultation Lead and Consultation Web team, and it seems acceptable to them.

Yours Sincerely,

Guido Liguori  
Director  
Heathrow Community Engagement Board