



N A B A R R O

The Rt Hon Hazel Blears MP  
Secretary of State for Communities and Local Government  
Eland House  
Bressenden Place  
London  
SW1E 5DU

26 May 2009

Our ref: FA/PJF/LVB/R1912/00029

Dear Madam

**Our Client: Stansted Airline Consultative Committee (the "SACC")  
Stansted Airport Generation 2 Planning Inquiry**

We refer to our previous correspondence with you. We continue to act for the SACC.

We have been provided with a copy of a letter sent to you on behalf of Essex and Hertfordshire County Councils and Uttlesford and East Herts District Councils (the "**Local Authorities**") dated 26 May 2009. That letter sets out the Local Authorities' view that any choice of start date for an Inquiry (if BAA does not withdraw its applications or if the Inquiry is not cancelled by you) cannot be taken until the final result of BAA's application to the Competition Appeal Tribunal ("**CAT**") is known.

The SACC agrees with the Local Authorities. Clearly the most sensible course is for BAA to withdraw its applications. However, the SACC has indicated to you previously (most recently in our letter of 22 April 2009) that if BAA refuses to withdraw its applications there are clear legal, policy, practical and cost reasons for deferring the start of the Inquiry. The SACC's position remains the same. BAA's application to the CAT simply extends the current period of uncertainty of ownership of Stansted. No Inquiry should be held until it is clear that the owner of Stansted (whether BAA, if its application to the CAT is successful, or a new owner) is both willing and able to take the matter forward. The earliest that this could happen would be when the final result of BAA's application to the CAT is known. No decision on the start the Inquiry can be made until that time, at the earliest.

We have copied this letter to BAA, the Inspector and the Local Authorities.

Yours faithfully

**NABARRO LLP**

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