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Our Ref: 21/00070/DCO
Your Ref: BC080001
E-Mail: dm@thurrock.gov.uk
Date: 18th January 2021

BY E-MAIL TO: LondonResort@planninginspectorate.gov.uk

Dear Ms Haddrell

**Planning Act 2008 (as amended) – Section 55
Application by London Resort Company Holdings for an Order Granting
Development Consent for the London Resort
Adequacy of consultation request**

I refer to the above matter and to your letter dated 4th January 2021 which seeks Thurrock Council's response on the adequacy of consultation.

The applicant has submitted a detailed 'Consultation Report' (document ref. 5.1 – December 2020) with accompanying annexes referenced:

- 1.1 – 1.9
- 2.1 – 2.7
- 3.1 – 3.9
- 4.1 – 4.14
- 5.1 – 5.33

As outlined in the 'Consultation Overview' (paragraph 1.25) Thurrock has only recently become a host authority, as a result of revisions to the proposals to include land within the Port of Tilbury.

It is the view of Thurrock Council that the applicant, London Resort Company Holdings, has, in accordance with the requirements of the Planning Act 2008, provided sufficient opportunities during the pre-application period to provide feedback and comment. However, as noted above, the proposals have only recently been revised to include land within Thurrock. The submitted Consultation Report details separate periods of consultation comprising:

- Stages 1 to 3 Non-statutory consultation — 2014-2015;
- Stage 4 Consultation with Statutory Consultees, Community Consultation and Publicity – 2015; and
- Stage 5 Consultation with Statutory Consultees, Community Consultation and Publicity – 2020.

In relation to the relevant sections of the Planning Act 2008, the Council comments as follows:

s42 Duty to consult

The applicant must consult the following about the proposed application –

- (a) such persons as may be prescribed,**
- (b) each local authority that is within section 43,**
- (c) the Greater London Authority if the land is in Greater London, and**
- (d) each person who is within one or more of the categories set out in section 44.**

Chapter 6 of the Consultation Report details the Statutory Consultation undertaken in 2015 with Statutory Consultees (Stage 4 above) and Chapter 9 of the Consultation Report summarises the 2020 Statutory Consultation with Statutory Consultees (Stage 5 above).

With reference to the 2015 Statutory Consultation, paragraph 6.18 of the Consultation Report identifies Thurrock Council as a section 43(2) consultee and Appendix 4.3 confirms that a consultation pack was sent to this authority. Chapter 9 of Consultation Report (paragraph 9.2) confirms that the proposals now include land at Tilbury and therefore Thurrock is a host authority, as a result of the revised Order Limits. Paragraph 9.23 of the Consultation Report confirms Thurrock as a host authority. Appendix 5.3 provides a list of s42 consultees, which includes Thurrock Council.

Therefore, the Consultation Report and associated appendices provide evidence on how the applicant has met the statutory consultation requirements under this section of the 2008 Act. It is therefore considered that the applicant has complied with the requirements of s42(a) to (d).

s47 Duty to consult local community

- (1) The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land.**
- (2) Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement.**
- (3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.**
- (4) In subsection (3) “the consultation documents” means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).**

- (5) In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).**
- (6) Once the applicant has prepared the statement, the applicant must -**
 - (za) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land**
 - (a) publish in a newspaper circulating in the vicinity of the land a notice stating where and when the statement can be inspected, and**
 - (b) publish the statement in such manner as may be prescribed**
- (7) The applicant must carry out consultation in accordance with the proposals set out in the statement.**

Chapter 7 of the Consultation Report details the Community Consultation undertaken in 2015 (Stage 4 above) and Chapter 10 of the Consultation Report summarises the 2020 Statutory Consultation with the Community (Stage 5 above).

Thurrock Council was not asked to comment on the applicant's draft SoCC in 2015 and at that time Thurrock was not a host authority. After consultation, notice of the final 2015 SoCC was published in the Thurrock Gazette newspaper, as confirmed at Table 7.1 of the Consultation Report and the SoCC was available for public inspection in Thurrock (referred to at Table 7.2 of the Consultation Report).

With regard to the 2020 Community Consultation, Chapter 10 of the Consultation Report confirms that Thurrock Council was consulted on the draft SoCC (paragraph 10.10). Appendix 5.5 to the Consultation Report provides detail of the consultation in June 2020 and the Council's response. Appendix 5.7 to the Consultation Report details the applicant's response to Thurrock Council's comments and a table of actions taken following receipt of consultation comments. Table 10.2 and Appendix 5.11 of the Consultation Report confirm that notices for the final SoCC were published in the Thurrock Gazette newspaper. Paragraph 10.21 of the Consultation Report details how the SoCC was made available for public inspection.

Accordingly it is considered that compliance with s47 has been demonstrated. Thurrock Council is satisfied that the applicant carried out consultation in accordance with the Statement of Community Consultation and has complied with subsection (7) of s47.

S48 Duty to publicise

- (1) The applicant must publicise the proposed application in the prescribed manner.**
- (2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.**

Chapter 8 of the Consultation Report details the publicity for the Statutory Consultation undertaken in 2015 (Stage 4 above) and Chapter 11 of the Consultation Report addresses the publicity for the 2020 Statutory Consultation (Stage 5 above).

Table 8.1 of the Consultation Report confirms the publication of the s48 notice in the Thurrock Gazette and paragraph 8.3 details the deadline for the receipt of comments. Appendix 4.14 provides a copy of the s48 notice as placed in 2015.

Table 11.1 of the Consultation Report confirms the publication of the s48 notice in the Thurrock Gazette in July 2020 and paragraph 11.3 details the deadline for the receipt of comments. Appendix 5.11 provides a copy of the s48 notice as placed in 2020.

It is therefore considered that the applicant has complied with subsection (1) and (2) of s48.

I trust that these comments are of assistance.

Yours sincerely



Matthew Gallagher
Major Applications Manager