

Following last week's meeting, as promised we have the following general comments on the content of the draft Statement of Community Consultation (SoCC).

As you will be aware, it is for the relevant Local Authority to formally respond under s47 of the Planning Act (Local Authorities are naturally in the best position to comment on the content and effectiveness of a SOCC), but I hope these general comments will also be helpful to you. Additional Guidance on the preparation of SoCCs is also included in the Departments of Communities and Local Government (CLG) 'Guidance on Pre-Application Consultation'. The following comments are made without prejudice to the Commission's future decision on whether to accept any formal application for development consent.

- The CLG Guidance states that consideration should be given to identifying small businesses, leisure users and other groups as appropriate to the area in question (para 50 of the guidance). Details of techniques for reaching community groups that could be difficult to reach, and how to maintain contact with such groups ought to be clearly set out. The IPC encourages the use of a range of consultation and engagement techniques in order to achieve this.
- Note that Footnote 2 of the CLG Guidance suggests that applicants engage with the MMO as well as coastal Local Authorities closest to the proposed development, who will be able to advise as to what consultation might be appropriate.
- The parameters of the consultation area should be discussed and agreed in liaison with the relevant Local Authority in order to establish a suitable radius with respect to the onshore works.
- The consultation process should include, as well as promote, an iterative 'two-way' process aided by 'information sharing'. The purpose of this process is to ensure feedback is used constructively to shape the proposal. This could perhaps be highlighted more in the SOCC. The IPC encourages
- Note that the Localism Bill is still going through Parliament and is yet to become statute - the relevant section of the SOCC could be caveated a little more to reflect this.
- Consultees relevant to s.42 of the Act are not 'prescribed' by the IPC - as per 'who will we consult with' section of the draft SoCC. The consultees are prescribed by Parliament as per The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 - Regulation 3.
- The text of the SoCC ought to make clear that the pre-application consultation process will provide the main consultation opportunity for people to be engaged with and help to shape the development proposals and, unlike most planning applications, that this is a front-loaded process where the consultation is led by the developer in advance of the submission of any applications to IPC. The SoCC should also be clear that the IPC process is a formal examination process that investigates and assesses relevant information and evidence submitted by interested parties rather than a further 'public consultation' opportunity.
- There could be explanation included regarding the international consultation that will need to be initiated by IPC in liaison with the developer and relevant UK and EU governments.
- It is worth being mindful within the paragraph associated with 'what will we do with the consultation responses' that consultees should be aware that their responses to Forewind may be made public and they should not provide personal information about third parties without their consent. When the IPC publishes a consultation report on the Internet, the IPC must meet data protection obligations and so may need to redact personal information. At the acceptance stage, the IPC may request that the applicant supplies copies of responses received to formal pre-application consultation.

The SoCC makes reference to the duties of the IPC being succeeded by the 'Major Infrastructure Planning Unit'. It has yet to be formally decided, but it is expected that the IPC will in fact become the National Infrastructure Directorate of the Planning Inspectorate.