

Report

Boston Alternative Energy Facility

Consultation Report

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Executive Summary

Project context

Alternative Use Boston Projects Ltd (the Applicant) is making an application to the Secretary of State (SoS) for a Development Consent Order (DCO) for the construction, operation and maintenance of the Facility. The Facility is a power generation plant with a proposed gross generation capacity of approximately 102 (megawatts) MW of renewable energy. The Facility is proposed to be located substantially within the Riverside Industrial Estate adjacent to the River Witham (known as The Haven), in Boston, Lincolnshire.

The Facility is a nationally significant infrastructure project (NSIP) in accordance with Sections 14 and 15 of the Planning Act 2008 (the Act) because the generating capacity of the Facility will be in excess of 50 MW. This means a DCO is required to authorise its construction and operation.

The process by which power will be generated is conventional combustion based thermal treatment technology using Energy from Waste (EfW). It is proposed that the Facility will deliver approximately 80 MW (net) to the National Grid. The Facility will generate energy using refuse-derived fuel (RDF) as the feedstock. The RDF will be sourced from UK suppliers and will comprise residual waste from householders that has not been segregated for recycling.

The Consultation Report

This Consultation Report has been prepared in accordance with section 37(7) of the Act, and as required by section 37(3) of the Act. The Applicant has a statutory duty to consult on and publicise the Application before submitting it in accordance with the Act and any regulations and guidance issued pursuant to that Act.

This Report provides details on how the Applicant has complied with the provisions of the Act and associated legislation in relation to pre-application consultation for the Facility.

Summary of approach to consultation

The Act places a great deal of importance on meaningful and comprehensive pre-application consultation with the local community, those with an interest in the land, Local Authorities and other prescribed consultees. The Applicant designed an extensive programme of consultation using best practice from consultations carried out for similar developments, as well as taking account of legislative requirements, government guidance, Planning Inspectorate (PINS) advice notes and other best practice.

Consultation process and timetable – a phased approach was taken to consultation based on best practice guidance. The first phase of consultation was informal to ensure early engagement occurred. Initially, a two-phase approach to consultation was outlined in the Statement of Community Consultation (SoCC). However, this was updated to include a further third stage of consultation to undertake statutory consultation on the Preliminary Environmental Information Report (PEIR), which had not been completed in time for Phase Two. An additional non-statutory fourth stage of consultation was also subsequently undertaken following changes to the proposed development, in particular a decision to change the proposed technology from gasification to traditional combustion

based EfW technology. A further statutory consultation was also held at the same time. This was because the statutory notice in the Lloyd's List and an appropriate fishing trade journal had not been published as part of the Phase Three consultation. As a result, a notice was published in Lloyd's List and Fishing News Weekly to rectify this omission and to seek representations from those who might not have had an opportunity to respond earlier. See **Table 1-1** below which sets out key consultation activities in chronological order. Consultation periods ran for more than the minimum period set by the Act.

Consultation area – this was defined drawing from good practice applied in consultations for other similar proposals. The area used for Phase Two consultation onwards was agreed after feedback from Boston Borough Council (BBC).

Consultation methods – a range of methods, both online and offline, were used as tools in the programme of communications and consultation for the Facility. These channels were defined using a combination of best practice and considering the demographics of the area; for example, a proportion of residents who do not speak English as a first language, and a large rural community with poor internet connections. Phase Four of the consultation also took account of COVID-19 limitations on public gatherings while still ensuring that people were able to find out about the proposed changes and provide feedback.

Recording, analysing and responding to consultation – the Applicant put mechanisms in place to allow consultees to provide comments and ask questions, to facilitate responses to feedback, as well as to record all interaction with stakeholders throughout both non-statutory and statutory consultation phases. This was required to meet statutory requirements and ensure that feedback received could be used to shape the final proposals for the Facility. All feedback received was given equal weight and, where relevant, was used to shape the proposals for the Facility as they developed.

Table 1-1 Consultation summary timeline

Date	Action	Requirement	Chapter of the Report
May 2018	Submission of Scoping Report to SoS	Environmental Impact Assessment (EIA)	Chapter 5
July 2018	Scoping Opinion received from SoS	EIA	Chapter 5
September – October 2018	Phase One non-statutory section 47 community consultation. Public Information Days (PIDs) held 14 September to 21 September	Section 47	Chapter 5
October 2018	SoCC formally submitted to Local Authorities for consultation	Section 47	Chapter 4
December 2018	SoCC published, hard copies deposited in stated locations for public to view and advertisements for SoCC published in local newspapers	Section 47	Chapter 4
January– March 2019	Phase Two statutory section 47 community consultation. PIDs held 15 February to 23 February	Section 47	Chapter 6
March 2019	Updated SoCC formally submitted to Local Authorities for consultation	Section 47	Chapter 4
May 2019	Updated SoCC published, hard copies deposited in stated locations for public to view and advertisements for SoCC published in local newspapers	Section 47	Chapter 4
June 2019	Section 46 letter sent to PINS	Section 46	Chapter 7
June 2019	Section 48 notices advertising PEIR consultation placed in London Gazette, Guardian and Boston Standard	Section 48	Chapter 7
June 2019	Section 42 consultation pack sent out to prescribed bodies, statutory undertakers, Local Authorities and section 44 consultees	Section 42	Chapter 7
June – August 2019	Section 42 statutory consultation	Section 42	Chapter 7
June – August 2019	Phase Three formal section 47 community consultation. PIDs held 27 June 2019 to 6 July 2019	Section 47	Chapter 7
August 2020	Section 48 notices advertising the consultation placed in Lloyd's List and Fishing News Weekly	Section 48	Chapter 8

Date	Action	Requirement	Chapter of the Report
August 2020	Letters sent to section 42 prescribed bodies, statutory undertakers, Local Authorities and section 44 consultees	Section 42	Chapter 8
August - September 2020	Phase Four non-statutory community consultation. Webinars held on 11 and 20 August	Section 47	Chapter 8
August - September 2020	Section 42 statutory consultation	Section 42	Chapter 8
November 2020 – March 2021	Post-Phase Four ongoing consultation and meetings with consultees as necessary	Section 42	Chapter 8

Summary of responses to consultation

The level of response from the local community has been limited and the intensity of involvement from the public has declined with each subsequent consultation round despite the effort made to inform all residents and businesses within the consultation area at every phase. However, statutory consultees have given responses at each phase of the consultation which the Applicant has been able to address, where appropriate, in advance of the Application. The Applicant has had regard to all responses received from the local community and included these in the Application where appropriate.

1 Introduction

1.1 The purpose of this document

- 1.1.1 Section 37(3)(c) of the Planning Act 2008 (the Act) requires that an application for a Development Consent Order (DCO) is accompanied by a consultation report.
- 1.1.2 Subsection (7), states that “the consultation report” means a report giving details of:
- what has been done in compliance with sections 42, 47 and 48 in relation to a proposed application that has become the application,
 - any relevant responses, and
 - the account taken of any relevant responses.
- 1.1.3 A “relevant response” is defined in section 49(3) as:
- a response from a person consulted under section 42 that is received by the Applicant before the deadline imposed by section 45 in that person's case,
 - a response to consultation under section 47(7) that is received by the Applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or
 - a response to publicity under section 48 that is received by the Applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity.
- 1.1.4 This Report sets out the approach to consultation regarding:
- Statutory consultation (to comply with sections 42, 47 and 48 of the Act) that has taken place and how the consultation responses have been considered (pursuant to section 49 of the Act) and subsequently shaped the final form of the Application.
 - The considerable amount of non-statutory “informal” consultation that has been undertaken on the project, which has also helped shape the final Application.

1.2 Consultation Report structure

1.2.1 The Report is structured to represent the chronological order of consultation carried out as follows:

- **Executive Summary:** summarises the content of the Consultation Report.
- **Chapter 1 – Introduction:** includes an overview of Alternative Use Boston Projects Ltd (the Applicant) and Boston Alternative Energy Facility (the Facility).
- **Chapter 2 – Legislative context and compliance:** describes how the Application complies with legislative requirements.
- **Chapter 3 – Approach to consultation:** sets out how the approach to consultation has developed, including objectives, process, methods and recording of feedback.
- **Chapter 4 – Statements of Community Consultation (SoCC):** an overview of the development of the SoCC, revisions to the SoCC, consultation carried out and commitments made.
- **Chapter 5 – Phase One consultation:** describes the initial non-statutory phase of consultation including the different consultation audiences and feedback received.
- **Chapter 6 – Phase Two consultation:** describes the second phase of consultation including the different consultation audiences, feedback received and how this was used to develop the proposals.
- **Chapter 7 – Phase Three statutory consultation:** an overview of the pre-application phase of statutory consultation including activity carried out, feedback received and how this has been used to develop the proposals.
- **Chapter 8 – Phase Four consultation:** describes the fourth phase of consultation including the different consultation audiences, feedback received and how this was used to develop the final Application.
- **Chapter 9 – Conclusion:** sets out the conclusions and next steps.

1.3 Legislative and policy context

1.3.1 The report demonstrates that the Applicant has complied with the relevant sections of the Act relating to pre-submission consultation, and has taken into account the government guidance document Planning Act 2008: Guidance on the Pre-Application Process (March 2015), as follows:

- Section 42 – the Applicant consulted the bodies prescribed in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ('the APFP Regulations'), the Marine

Management Organisation (MMO), the relevant Local Authorities and relevant landowners or other parties with an interest in the land. Details of the section 42 consultation can be found in **Chapter 7, sections 7.3 - 7.5** and in **Chapter 8, sections 8.4 and 8.5**.

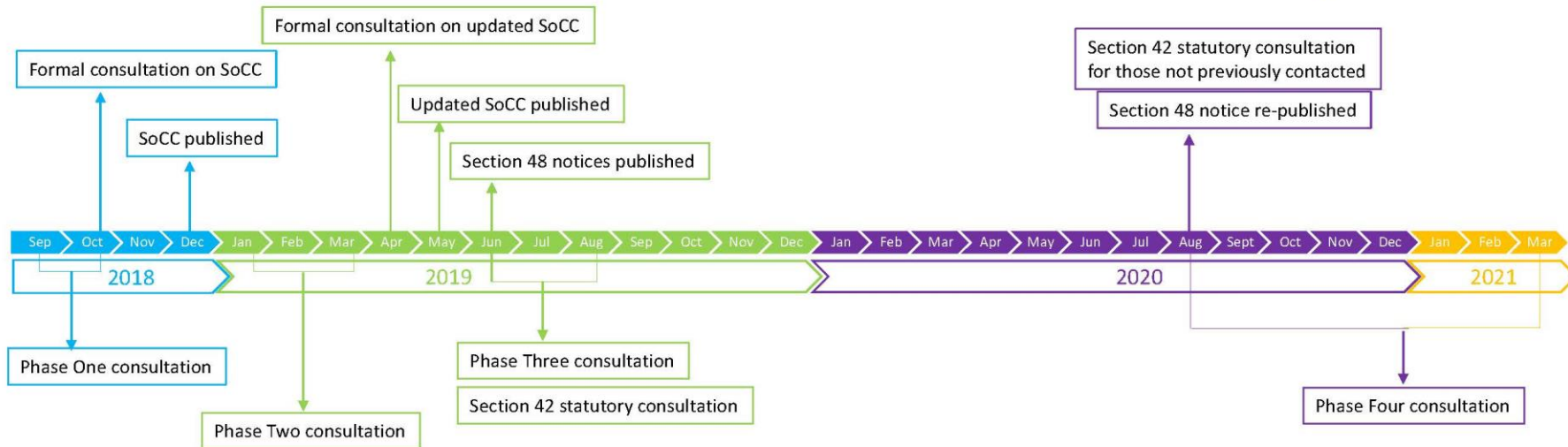
- Section 43 – a description in respect of the application of section 43 of the Act, including maps identifying the relevant authorities, can be found in **Chapter 7, section 7.3**.
- Section 46 – prior to commencing section 42 consultation, the Applicant notified the Secretary of State (SoS) of the Proposed Development and provided section 42 consultation materials. Details of section 46 compliance can be found in **Chapter 7, section 7.6**.
- Section 48 – the Applicant publicised the proposed Application in the manner prescribed by Regulation 4 of the APFP Regulations. Details of section 48 compliance can be found in **Chapter 7, section 7.7** and **Chapter 8, section 8.6**.
- Section 47 – the Applicant consulted with the relevant Local Authorities on the content of the SoCC, published a notice in local newspapers and made the SoCC available for inspection by the local community, and consulted with the local community in accordance with the published SoCC. Details of section 47 compliance can be found in **Chapter 4**.

1.3.2 This Report provides a summary of the consultation process, responses received and the regard that has been had to those responses. More details on the consultation responses are provided in the Appendices as follows:

- **Appendix 3.16:** Phase One consultation responses and the Applicant's response
- **Appendix 4.17:** Phase Two consultation responses and the Applicant's response
- **Appendix 5.25:** Phase Three consultation responses and the Applicant's response
- **Appendix 5.26:** Section 42 consultation comments and the Applicant's response
- **Appendix 6.19:** Summary of feedback received at Phase Four and the Applicant's response

1.4 Consultation timeline

Boston Alternative Energy Facility Consultation Timeline



1.5 The Applicant and project team

1.5.1 Alternative Use Boston Projects Ltd is the Applicant undertaking the development and securing funding for the Facility. The Applicant is a privately-owned company with its core business in Energy from Waste (EfW), specifically renewable electricity projects producing “green energy”.

1.5.2 Preparation of the Application has been managed by the Applicant with support from the following consultancy team:

- Athene Communications – community engagement services;
- BDB Pitmans – legal services;
- Fairport Engineering Ltd – design and construction management;
- Lichfields – planning services;
- Royal HaskoningDHV – environmental consultancy and project management; and
- TerraQuest – land referencing.

1.6 The Proposed Development

The Application Site

1.6.1 The Application Site is located approximately 2 km south of Boston town centre, Lincolnshire. It covers an area of 26.8 hectares (ha) and is split in to two components: the area containing operational infrastructure for the Facility (the ‘Principal Application Site’); and an area containing habitat mitigation works for wading birds (the ‘Habitat Mitigation Area’). The Principal Application Site covers 25.3 ha and is neighboured to the west by the Riverside Industrial Estate and to the east by The Haven, a tidal waterway of the River Witham between The Wash and the town of Boston. The A16 public highway is located approximately 1.3 km to the west. The Habitat Mitigation Area covers 1.5 ha and is located approximately 170 m to the south east of the Principal Application Site, encompassing an area of saltmarsh and small creeks at the margins of The Haven.

The Facility

1.6.2 The Facility is a state-of-the-art power generation plant that will generate approximately 102 MW (gross) of renewable energy. It is proposed that it will deliver approximately 80 MW (net) to the National Grid, with the remainder being used to power the Facility itself.

- 1.6.3 The process by which power will be generated is Advanced Thermal Conversion using refuse-derived fuel (RDF) as the feedstock (i.e. the fuel). The RDF will be sourced from UK suppliers and will comprise residual waste (i.e. “black bag waste”) from householders that been segregated from the recycle schemes. The Facility will not use any source-segregated recyclable waste. The RDF will be delivered to the Facility by ship to minimise the levels of road traffic associated with the Facility.
- 1.6.4 The power derived from EfW facilities is a source of renewable energy in accordance with the definition in the Government’s National Policy Statement for Renewable Energy Infrastructure (EN-3).
- 1.6.5 The full scope of the Facility is set out in detail in **Chapter 5 Project Description** of the **Environmental Statement** (ES) (document reference 6.2.5) and is described by the parameters set out in Schedule 1 of the **draft DCO** (document reference 2.1).
- 1.6.6 In brief, the Application comprises:
- a wharf and associated infrastructure (including re-baling facility, workshop, transformer pen and welfare facilities);
 - a RDF bale contingency storage area, including sealed drainage, with automated crane system for transferring bales;
 - conveyor system running in parallel to the wharf between the RDF storage area and the RDF bale shredding plant. Part of the conveyor system is open and part of it is under cover (including thermal cameras);
 - bale shredding plant;
 - RDF bunker building;
 - Thermal Treatment plant comprising three nominal 34 MWe combustion lines (circa 120 MWth) and associated ductwork and piping, transformer pens, diesel generators, three stacks, ash silos and ash transfer network, and air pollution control residues (APCr) silo and transfer network;
 - turbine plant comprising steam turbine generators, make-up water facility and associated piping and ductwork;
 - air-cooled condenser structure, transformer pen and associated piping and ductwork;
 - Lightweight aggregate (LWA) manufacturing plant comprising four kiln lines, two filter banks with stacks, storage silos for incoming ash, APCr, and binder material (clay and silt), a dedicated berthing point at the wharf, silt storage and drainage facility, clay storage and drainage facility, LWA workshop, interceptor tank, LWA



control room, aggregate storage facility and plant for loading aggregate / offloading clay or silt;

- electrical export infrastructure;
- two carbon dioxide (CO₂) recovery plants and associated infrastructure, including chiller units;
- associated site infrastructure, including site roads, pedestrian routes, car parking, site workshop and storage, security gate, control room with visitor centre and site weighbridge; and
- habitat mitigation works for Redshank and other bird species comprising of improvements to the existing habitat through the creation of small features such as pools/scrapes and introduction of small boulders (Habitat Mitigation Works) within the Habitat Mitigation Area.

1.7 Project layout and design

1.7.1 The Order limit of the proposed Facility is outlined in red on **Plate 1-1** below.

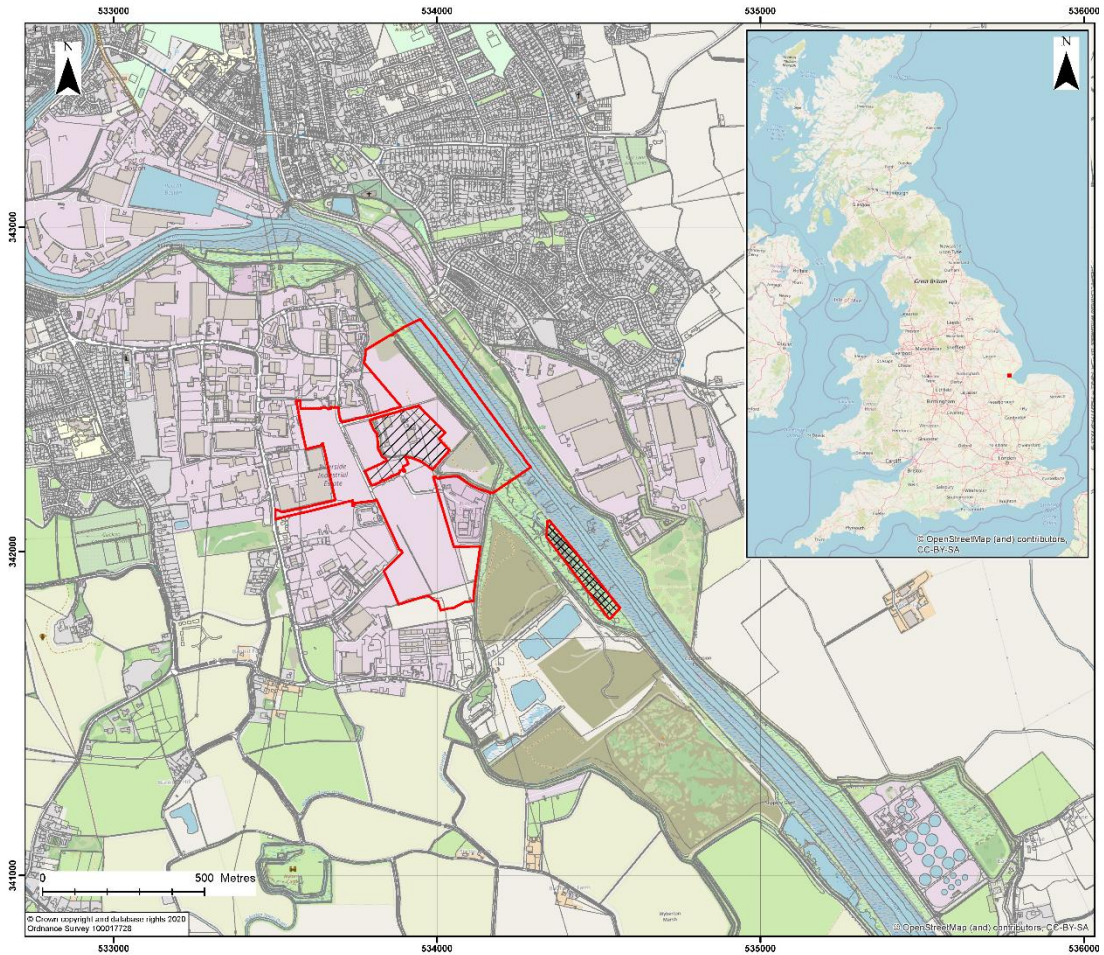


Plate 1-1 Order limit

1.7.2 **Plate 1-2** is indicative of a typical EfW facility delivered by the proposed technology provider.



Plate 1-2 Indicative image of a typical EfW facility (North Yard, Devonport, Plymouth)

1.7.3 **Plate 1-3** is a schematic of the Facility process once in operation. This diagram was included in the newsletter which was sent to residents and stakeholders as part of the Phase Four consultation to explain how the Facility will work.

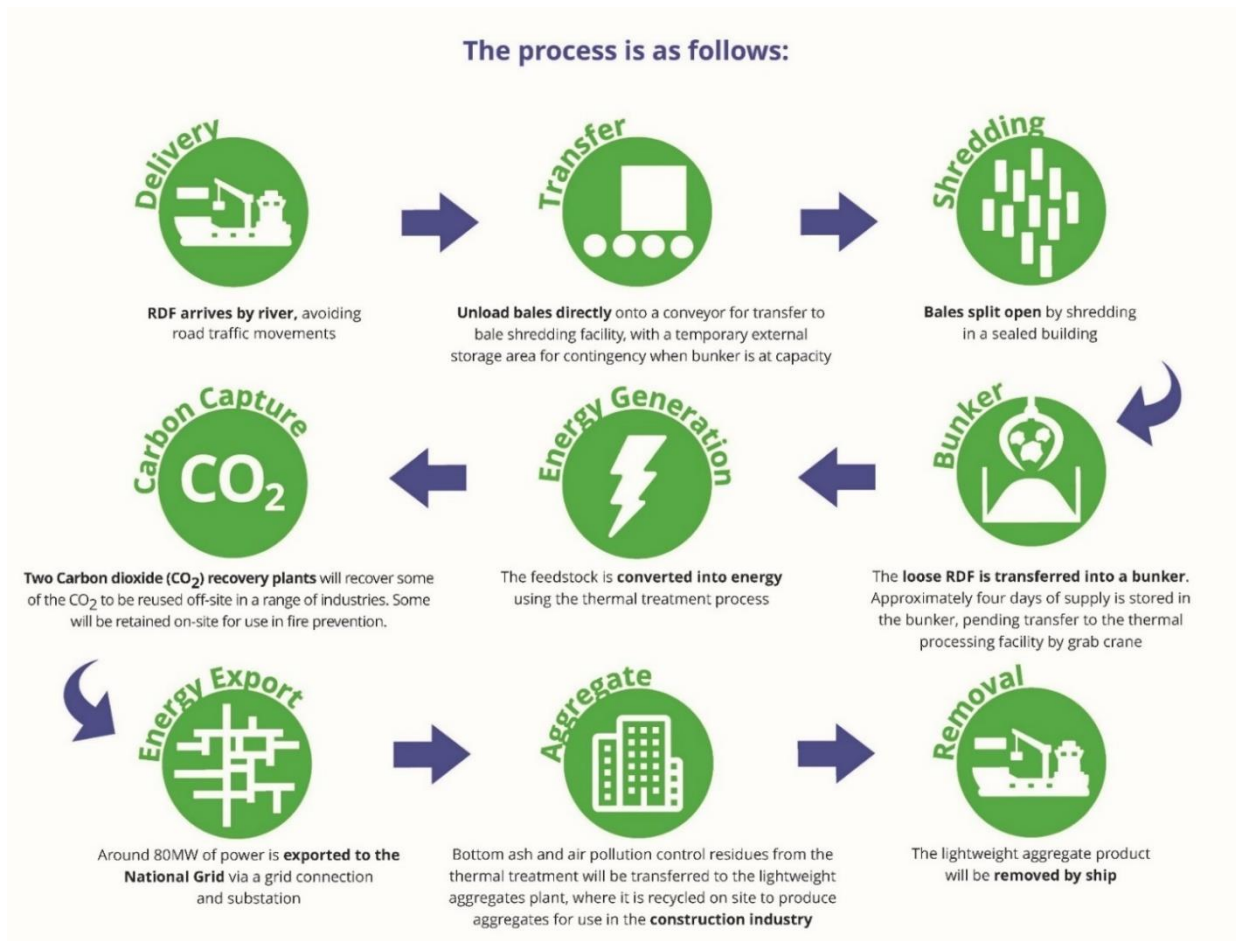


Plate 1-3 Schematic drawing of the Facility

2 Legislative context and compliance

2.1 Relevant legislation and guidance

2.1.1 The Applicant has given careful consideration to the specific requirements set out in the following legislation in developing the approach to consultation for the Facility:

- The Act.
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the Infrastructure EIA Regulations 2017).

2.1.2 In addition, in preparing this Consultation Report, attention has been paid to:

- Ministry of Housing, Communities and Local Government (MHCLG) (2015) Planning Act 2008 guidance on the pre-application process (the Guidance);
- Planning Inspectorate (PINS) Advice Note 3: Environmental Impact Assessment Consultation and Notification;
- PINS Advice Note 6: Preparation and Submission of Application Documents;
- PINS Advice Note 14: Compiling the Consultation Report;
- National Policy Statement (NPS) EN-1: Overarching NPS for Energy; and
- NPS EN-3: NPS for Renewable Energy Infrastructure.

2.1.3 Section 55(3)(e) of the Act provides that the SoS may only accept the application for development consent if it is concluded (amongst other matters) that the Applicant has complied in accordance with the requirements of the pre-application procedure set out in Chapter Two of Part Five of the Act.

2.1.4 Appendix 3 of the PINS Advice Note 6: Preparation and Submission of Application Documents (January 2019) comprises a **Section 55 Application Checklist** (document reference 1.4) based upon the statutory criteria for acceptance of applications set out in section 55(3).

2.1.5 The parts of this relating to consultation have been extracted in the Consultation Compliance Checklist found at **Appendix 1**, which outlines how the criteria have been met and where further information can be found in this report.

2.1.6 The table presented in **Appendix 1** demonstrates that the Applicant has fully complied with the pre-application consultation requirements of the Act.

3 Approach to consultation

3.1 Introduction

- 3.1.1 Under sections 42, 47 and 48 of the Act, an applicant is required to publicise an application for a DCO and to consult the local community, certain prescribed bodies and Local Authorities on the proposed application and on the approach to public consultation.
- 3.1.2 The Applicant designed an extensive programme of consultation using best practice from consultations carried out for similar developments, and taking account of legislative requirements, government guidance and the PINS advice notes and other best practice.
- 3.1.3 This section of the Consultation Report sets out the approach taken to both non-statutory and statutory consultation and publicity under sections 42, 44, 47 and 48 of the Act, to support the Application for the Facility.

3.2 Objectives of consultation

- 3.2.1 In accordance with the Guidance, the Applicant defined the following objectives as being important to ensuring compliance with statutory requirements in designing the programme of consultation and communications for the proposed Facility:
- As per paragraph 16 of the Guidance, to consult widely, honestly and comprehensively – to allow representations to be incorporated into the project and influence it, where practicable and appropriate.
 - As per paragraph 18 of the Guidance, to ensure that all identified stakeholders, as well as the wider community, are engaged with and informed about the proposal and its benefits.
 - As per paragraph 54 of the Guidance, to ensure that a range of channels are offered to reach all audiences, including online and offline communications.
 - As per paragraph 55 of the Guidance, to ensure that all communications are clear, concise and easy to understand, and to provide content/materials in a range of languages to reach all areas of Boston's diverse community.
 - As per paragraph 18 of the Guidance, to facilitate two-way communication, including opportunities for consultees to comment on the proposal and have their questions answered.
 - As per paragraph 78 of the Guidance, to show how the feedback received has been considered and helped to shape the finalised proposals.

- As per paragraph 80 of the Guidance, to ensure that the consultation structure, mechanisms and feedback received can effectively contribute to the overall Consultation Report.

3.3 Consultation process and timetable

- 3.3.1 Initially, a two-phase approach to consultation was proposed to ensure the delivery of the above objectives, and compliance with relevant statutory requirements:
- 3.3.2 **Phase One, 14 September 2018 to 19 October 2018** – non-statutory consultation, as per paragraph 70 of the Guidance, to include early engagement with local political stakeholders and prescribed consultees through a series of meetings and briefings, and consultation with the local community near the proposed site through a series of Public Information Days (PIDs). This Phase introduced the project and sought feedback on the overall plans.
- 3.3.3 **Phase Two, 21 January 2019 to 25 March 2019** – the SoCC was published in January 2019 after a period of statutory and community consultation as per paragraph 34 of the Guidance. It proposed that **Phase Two** was to comprise of statutory consultation, complying with sections 42, 44 and 47 of the Act through consultation with the wider community, all prescribed stakeholders and those with an interest in the land. This Phase intended to seek feedback on the Preliminary Environmental Information Report (PEIR), and the revised plans which had been shaped using feedback from Phase One. However, the completed PEIR was not available for the dates that were fixed for the proposed PIDs for **Phase Two**. Consequently, rather than cancelling these events, this second phase provided an update on the project and the initial findings of the PEIR. **Phase Two** therefore consisted of statutory consultation with section 47 consultees and non-statutory consultation with section 42 and section 44 consultees.
- 3.3.4 The periods for **Phase One** and **Phase Two** of consultation were determined as running from the first PID of that phase to four weeks after the final PID, therefore exceeding the 28-day statutory minimum period set by the Act and paragraph 72 of the Guidance.
- 3.3.5 Due to the change to the initial approach, **Phase Three** of pre-application consultation was introduced, held between June to August 2019. The SoCC was updated to incorporate the addition of Phase Three and republished in May 2019.

- 3.3.6 **Phase Three, 25 June 2019 to 6 August 2019** – this comprised statutory section 42, 44 and 47 consultation, as well as section 48 consultation in accordance with paragraph 58 of the Guidance. This consultation sought feedback on the PEIR and potential mitigation of identified significant impacts as per paragraph 93 of the Guidance, and the proposals as they had developed using input from previous consultation phases. The **Phase Three** consultation ran for six weeks, exceeding the 28-day statutory minimum period as required by section 45 of the Act.
- 3.3.7 **Phase Four, 10 August to 10 September 2020** - due to changes to the proposed Facility, a further statutory **Phase Four** of pre-application consultation was introduced, held between 10 August and 10 September 2020. This was because a statutory notice had not been published in the Lloyd's List or an appropriate fishing trade journal as part of the Phase Three consultation. As a result, a notice was published in Lloyd's List and Fishing News Weekly to seek representations from those who may not have had an opportunity to respond earlier. In addition, a few section 42 prescribed consultees and statutory undertakers were identified who had not been previously consulted. Letters were sent to these and other section 42 consultees about the proposed Application.
- 3.3.8 The **Phase Four** consultation comprised non-statutory consultation with the local community and landowner consultees, as well as statutory consultees who had been consulted before; section 48 publication of the Application in accordance with Paragraph 58 of the Guidance; and statutory consultation with section 42 consultees who had not been consulted previously. The non-statutory consultation sought feedback on the changes to the proposed Facility, while the statutory consultation sought feedback from those who may not have had a chance to comment on the PEIR and potential mitigation of identified significant impacts during Phase Three of the consultation and the changes to the proposed Facility.
- 3.3.9 The period for the **Phase Four** consultation was determined as running from 10 August to 10 September 2020, although notifications about the consultation started to be sent out from 27 July 2020. The consultation therefore exceeded the 28-day statutory minimum period.
- 3.3.10 Further details on each of the four phases of consultation, including activity carried out and feedback received, can be found in **Chapters 5 - 8** of this report.

3.4 Consultation area

3.4.1 The original approach to defining the consultation area for the Facility, as implemented in Phase One of consultation, was to include two areas – an inner consultation area and a wider consultation area, shown in **Plate 3-1** below.

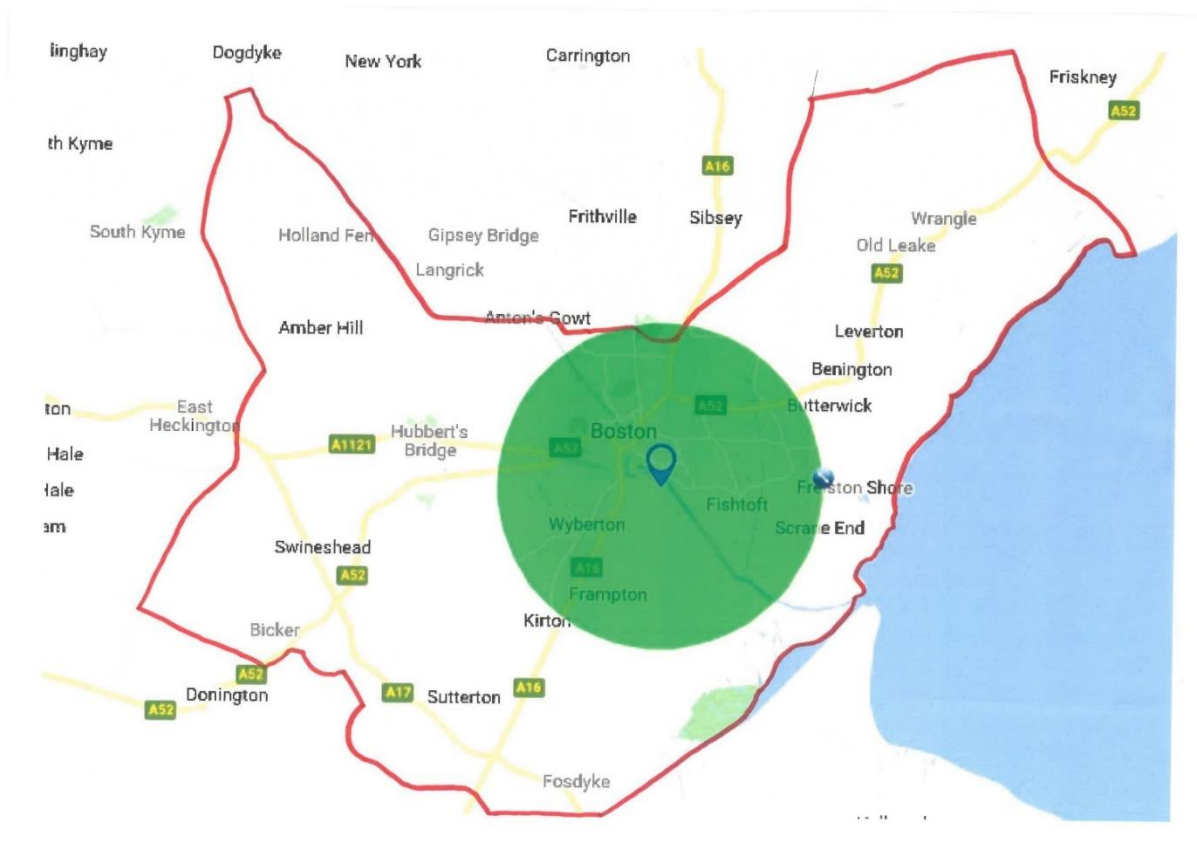


Plate 3-1 Initial and revised wider consultation area

- 3.4.2 The inner area, shown in green, includes the community within a five-kilometre radius of the site. The wider area, within the red line, was determined as the Boston Borough Council (BBC) boundary. This approach was taken from good practice applied in consultations for other similar proposals.
- 3.4.3 A maildrop exercise was carried out by Royal Mail for premises within the inner area. The maildrop comprised a project leaflet informing occupants of the PIDs, which were all held at venues within the inner area.
- 3.4.4 For the wider area, posters promoting the events were sent to parish councils and displayed on noticeboards throughout the area. Adverts were also placed in newspapers covering the outer area (and beyond).

3.4.5 Following feedback from BBC as part of the SoCC consultation process (see **Chapter 4**), a one-area approach to consultation was agreed for Phase Two onwards. This covered the entire BBC area defined by the red line in **Plate 3-1** above. All communications and consultation activities for Phases Two, Three and Four, including a Royal Mail maildrop (see **Chapters 6, 7 and 8**), were targeted towards this consultation area.

3.5 Consultation methods

3.5.1 More details on the methods used are provided in **Chapters 5, 6, 7 and 8** but in summary these comprise:

- **Letters to prescribed consultees, Local Authorities and those with an interest in the land** – providing an update on the project and offering meetings where relevant.
- **Face-to-face meetings** – for local political stakeholders and prescribed consultees as part of Phases One, Two and Three and **online meetings** as part of Phase Four due to COVID-19 restrictions.
- **Elected member briefings** – offered to the MP for Boston and Skegness, and Lincolnshire County Council (LCC) and BBC members.
- **Preparation of a SoCC** – to outline who would be consulted, how the consultation would take place and what information would be consulted on, as well as how feedback could be submitted and used to shape the proposals.
- **PIDs** – as part of Phases One, Two and Three, to provide updates on the Facility and seek feedback from the local community.
- **Public inspection points** – key consultation documents such as the SoCC and PEIR were placed at identified points in the consultation area for review by consultees.
- **Two webinars** – as part of Phase Four.
- **Maildrops** – using Royal Mail to homes and businesses in the consultation area, including project updates and details of the PIDs for Phases 1-3 as well as promoting the webinars and telephone surgery for Phase Four.
- **Newspaper adverts and notices** – publicising the PIDs for Phases 1-3 and promoting the webinars and telephone surgery for Phase Four and in line with statutory requirements i.e. consultation on the SoCC and PEIR.
- **Posters** – displayed on noticeboards throughout the consultation area during each phase of consultation publicising the PIDs for Phases 1-3 and the webinars and telephone surgery for Phase Four. For Phase One and Two consultation, English posters and posters translated into Latvian, Lithuanian

and Polish (the most commonly spoken languages by employees of businesses local to the site) were sent to local employers. For Phase Three, posters were also translated into Russian and Portuguese and sent to local employers. At Phase Four, posters included a sentence in Latvian, Polish, Russian and Portuguese stating that translated materials were also available.

- **Parish councils** – information was sent to parish councils for dispersion to local communities during Phases 1-3. Briefings were also offered during each phase.
- **Media releases** – to a targeted list of local media publicising the PIDs during Phases 1-3 and the webinars and telephone surgery during Phase 4.
- **Project website** – updated with news and key documents throughout the consultation.
- **Social media** – a Twitter feed was set up for the Facility prior to Phase Two and information shared with other local accounts.
- **Freephone/Freepost/email address** – dedicated project postal address, email address and telephone voicemail for enquiries and feedback to be shared.
- **Feedback forms** – copies were made available at PIDs and online to record feedback and comments for each consultation phase.
- **A telephone surgery** was also offered as part of Phase Four. However, no residents registered to attend, so it did not go ahead.

3.6 Recording, analysing and responding to consultation

3.6.1 Feedback forms were used to record comments from consultees. These were analysed at the end of each phase and used to produce a feedback summary for each phase, which was published on the project website. Any questions raised via feedback forms were responded to where the consultee provided contact details and consented to contact from the project team. Where contact details were not provided, or consent was not given, the question and answer was added to the Frequently Asked Questions for the project and added to the website.

3.6.2 As outlined above, a dedicated email address, telephone number and Freepost postal address were set up to receive feedback.

- 3.6.3 The project website provided a facility for consultees to make enquiries or register interest in being kept updated as the project developed. Commitments were made by the Applicant to acknowledge all communications received within three working days, and to respond fully within 20 working days, unless the enquiry was considered to be complex and therefore required further consideration by the project team, or where the information requested was required from a third party and could not be supplied to the project team within 20 working days.
- 3.6.4 During Phase Four there was a delay in contacting those who had registered to be kept updated about the project to inform them about the next phase of consultation. This was due to an unexpected absence due to sickness within the project team at the start of the Phase Four consultation period. Updates were, however, sent as soon as possible. Those individuals residing within the BBC area would have also received the maildrop containing details of the Phase Four consultation between 27 July 2020 and 7 August 2020, before the consultation commenced on 10 August 2020.
- 3.6.5 The Applicant used a stakeholder management system called Tractivity to log interactions with all consultees including notes from meetings, feedback forms and enquiries received through the feedback mechanisms. The system was used to analyse activity by consultation phase or theme and information from it shaped this Consultation Report.
- 3.6.6 Tractivity has built-in General Data Protection Regulation (GDPR) compliance features that allow users to capture and store marketing preferences. Its GDPR subscription preferences enable customers to collect mailing consent from stakeholders manually and via automated processes – creating an auditable trail of when and how the consent was obtained.
- 3.6.7 As Tractivity has built-in marketing tools, the compliance features ensure that only stakeholders who have opted-in receive mailings. All stakeholders have the option to update their marketing preferences at any time.

4 Statement of Community Consultation

4.1 Introduction

- 4.1.1 In accordance with section 47(2) of the Act, the applicant must consult each Local Authority that is within section 43(1) (i.e. a Local Authority is in this section if the land for the proposed development is in the Authority's area) in respect of the content of the SoCC. This is because their knowledge of the local area may influence decisions on the geographical extent of the consultation and the methods that will be most effective in the local circumstances.
- 4.1.2 As required by Section 47(3) of the Act, the Local Authority must submit their comments on the SoCC within 28 days of receiving the consultation documents. The applicant also must have regard to any responses received before the deadline, as outlined in Section 47(5) of the Act. Once the SoCC is finalised, the applicant must:
- under section 47(6)(a), make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the proposed development;
 - under section 47(6)(a), publish in a newspaper circulating in the vicinity of the proposed development, a notice stating where and when the statement can be inspected; and
 - under section 47(6)(b), publish the statement in such manner as may be prescribed. Regulation 12 of the Infrastructure EIA Regulations 2017 requires that the consultation statement prepared under Section 47 of the Act sets out whether the application is an Environmental Impact Assessment (EIA) development and, if so, how the applicant intends to publicise and consult on the preliminary environmental information.
- 4.1.3 This section describes how the Applicant prepared the SoCC, the consultation which took place with Local Authorities, the feedback received and changes made, and how the Applicant publicised and made the SoCC available to the local community.
- 4.1.4 Please note: Phase Four of the consultation was added in the final stages of the project development because of proposed changes to the scheme. The changes delivered, on balance, a slight reduction in the impacts of the project and a proposed non-statutory consultation was discussed at a meeting with PINS on 28 April 2020. Following this meeting, the Applicant determined that Phase Four did not need to be statutory and there was, therefore, no need to updated the SoCC.

- 4.1.5 A Consultation Strategy for Phase Four was produced which took into account the challenges presented by the COVID-19 restrictions at the time and the necessary limitations on public gatherings. Details about the Strategy are outlined in **Chapter 8**. Where appropriate, however, details about the Phase Four consultation have also been included in the section regarding SoCC compliance below.

Development of the SoCC

- 4.1.6 The Applicant prepared a SoCC which outlined how the Applicant proposed to consult with the community near the Facility in accordance with Section 47 of the Act. Consultation was then carried out in line with the strategy outlined in the final SoCC.
- 4.1.7 Advice on the most appropriate consultation channels for the local area with hard-to-reach groups in mind was sought from BBC's Community Engagement Officer. The feedback received was used to shape the draft SoCC.
- 4.1.8 The SoCC provided the following information:
- Background information on the Facility.
 - The Development Consent process and the role consultation plays in an application.
 - Potential benefits and impacts of the proposal.
 - The consultation process including objectives, methods and hard to reach groups.
 - What would be consulted on.
 - Who would be consulted with.
 - How the Applicant would consult.
 - How feedback could be given, and how it could be used to shape the proposals.

4.2 Informal consultation on draft SoCC

- 4.2.1 Taking into account the requirements to consult with host authorities under section 47(2) of the Act, and the Guidance, the Applicant sought to undertake an informal stage of consultation on an early version of the draft SoCC.

- 4.2.2 The proposed site is located in the BBC area; however, the nature of the application (i.e. energy recovery from waste) meant that LCC would have been the determining authority had the Facility been subject to a planning application rather than DCO. Therefore, both BBC and LCC were given an early opportunity for informal review of the SoCC to input into the version that would be consulted on.
- 4.2.3 The draft SoCC was sent to BBC and LCC for informal review on 18 September 2018, with a seven-day period given for responses.
- 4.2.4 BBC responded on 19 September, stating that it was their opinion that no amends were necessary and that the fundamental details were set out clearly for the public to understand the content.
- 4.2.5 LCC responded on 26 September with the following comments:
- At para 74 I suggest that confirmation is provided as to how the local community will be notified when the DCO application is submitted such as by a newsletter and notices in the local press.*
- The other point is at para 100 as well as electronic copies hard copies of the documents should be provided at the identified venues as it is not always easy to read text and plans in an electronic format.*
- 4.2.6 Both comments were incorporated into the draft SoCC produced for statutory consultation under section 47 (2) of the Act.
- 4.2.7 Emails sent and received during the non-statutory consultation phase can be found at **Appendix 2.1**.

4.3 Formal consultation on the draft SoCC

- 4.3.1 The Applicant formally consulted on the draft SoCC in October/November 2018. In addition to BBC and LCC, it was decided to offer the following neighbouring authorities the opportunity to comment:
- East Lindsey District Council (ELDC).
 - North Kesteven District Council (NKDC).
 - South Holland District Council (SHDC).
 - South Kesteven District Council (SKDC).
- 4.3.2 The draft SoCC was emailed and posted to the six authorities on 15 October 2018. The statutory consultation period started the day after the SoCC was sent, therefore the formal consultation period ran for 28 days from 16 October to 13 November 2018.

- 4.3.3 ELDC's response was received on 19 October 2018, stating that they considered the SoCC to be appropriate for this type of proposal.
- 4.3.4 LCC's response was received on 5 November 2018. The comments received are outlined in **Table 4-1**.
- 4.3.5 NKDC's response was received on 5 November 2018, stating that they had no comments to make.
- 4.3.6 On 9 November 2018, an email was received from BBC stating that they would not be able to provide a response by 13 November because the formal decision making process they are required to follow includes a report to be made to the Council's Cabinet; a meeting of which wasn't taking place until 21 November. An extension of the consultation period to 30 November was requested.
- 4.3.7 This request was considered by the Applicant and agreed to. All Local Authorities yet to respond were informed of this extension on 12 November 2018.
- 4.3.8 The consultation response from BBC was received on 30 November 2018, along with the minutes from the meeting where the SoCC had been discussed. Several changes were requested to the SoCC in this response, as outlined in **Table 4-1**.
- 4.3.9 All comments received from LCC and BBC were considered by the project team, and where appropriate were reflected in the final SoCC. Due to the number of requests from BBC, and the fact that not all their suggested amendments were included after due consideration, a response was sent to BBC on 13 December 2018 with the rationale behind each decision. Copies of the emails sent and received during the statutory consultation period can be found at **Appendix 2.2**.
- 4.3.10 The email response and corresponding documents sent to BBC after the statutory consultation ended can be found at **Appendix 2.3**.

Table 4-1 Responses to formal consultation on the SoCC

Local Authority	Comment made	Response to comment
Lincolnshire County Council	3.4.7- There is a mistake in this paragraph as the development is not a Material Recycling Facility, but rather a Waste Transfer Station. "To the South of the Boston Alternative Energy Facility site there is a waste transfer station (operated by Lincolnshire County Council) that receives household waste from South Lincolnshire (Boston and South Holland) before being taken to the EfW at North Hykeham."	Paragraph amended in the SoCC as requested.

Local Authority	Comment made	Response to comment
Lincolnshire County Council	3.6.1 and 3.6.2- this does not clearly state that the land has been allocated in the Lincolnshire Waste and Mineral Local Plan for development which is related to waste. Please see the site allocations of this document. This plan has been adopted but hasn't been referenced correctly within the document.	Paragraphs amended in the SoCC as requested.
East Lindsey District Council	Having examined the document, I consider the SoCC to be appropriate for this type of proposal and have noted the need to put measures in place to secure the attention of "Hard to Reach" groups in Boston, which is welcomed.	None required.
Boston Borough Council	All 6th form pupils at the senior schools within the borough along with students at Boston College be consulted.	Posters advertising the Phase Two PIDs were sent to local secondary schools and Boston College. This was not replicated for Phase Three due to an oversight. During Phases Three and Four, the project team met with Boston College to discuss how the college could engage with the project in the lead up to submission and post-decision.
Boston Borough Council	That a greater innovative approach be undertaken in respect of media consultation throughout the lifetime of the project to allow engagement with the younger demographic and that research into today's modern companies was required to seek new ways of working alongside the traditional social media.	A dedicated Twitter feed was set up ahead of Phase Two consultation with posts promoting the events. In the Third Phase of consultation, the project team engaged with the local community and relevant stakeholders to seek innovative ways of working with young people. This will continue as the project develops further.
Boston Borough Council	That regular briefings be provided for all Boston Borough councillors at each stage of the Nationally Significant Infrastructure Project (NSIP) with up to date presentations providing information at the right point in the process.	Briefings were offered to all BBC and LCC during Phase Two, and Phase Three, and further briefings will be offered at key stages of the DCO process. Paragraph 8.3.3 of the updated SoCC reflects this request.
Boston Borough Council	That wording within paragraph 6.4.2 of the report "proposed to do" be amended to "will do".	Paragraph 6.4.2 of the updated SoCC has been updated to reflect this request.
Boston Borough Council	That the radius of the consultation area from the development site be	We have reviewed the consultation areas for the Boston Barrier and Triton Knoll Offshore Wind Farm, as well as similar

Local Authority	Comment made	Response to comment
	<p>increased to between 7 – 10 kilometres.</p>	<p>EfW proposals. With this, and the suggestion of BBC in mind, we extended the maildrop distribution area to advertise Phase Two of the pre-application consultation to include the whole of the BBC area. This is reflected in paragraphs 6.4.1 and 9.2.1 of the SoCC. The project team used the same consultation area for the Phase Three consultation.</p> <p>It is noted that increasing the consultation radius to 7 or 10 kilometres extends partly into the neighbouring ELDC. ELDC were consulted on the SoCC and did not require residents within their boundary to be consulted.</p>
<p>Boston Borough Council</p>	<p>That in line with the extension of the consultation area the following venues be added to the list of consultation venues for all future events:</p> <ul style="list-style-type: none"> • Rochford Tower Hall in Fishtoft • Wyberton Parish Hall • Kirton Town Hall • Trinity Church, Spilsby Road Boston. 	<p>The addition of the suggested four venues was considered by the project team. Four additional venues, making a total of nine was considered disproportionate in comparison to the area. However, the number of Phase Two PIDs increased to six to include an event in Wyberton. This was a direct consequence of the recommendations made by BBC and also following suggestions made by the public at the Phase One PIDs.</p> <p>However, it should be noted that this venue had the second lowest attendance of the Phase Two events.</p> <p>As per Phase One, events for Phase Two were already being proposed for venues in central Boston as well as the Fishtoft and Kirton and Frampton wards and it was felt disproportionate to hold two events in each of these locations. This was reflected in the attendance numbers of Phase Two, where all venues recorded lower attendees than for Phase One.</p> <p>Six events were also held for Phase Three at the same venues as at Phase Two.</p>
<p>Boston Borough Council</p>	<p>That the additional venues also be used as “drop-in” centres with all venues being used for the pre-application consultation.</p>	<p>The project team does not have control over the availability of venues and unfortunately this means it would not be possible to commit to regular “drop-in” sessions at these locations.</p> <p>The project team are committed to engaging with the public. This included the Phase Two and Phase Three events. The project team has provided a range of communication methods to local</p>

Local Authority	Comment made	Response to comment
		stakeholders to identify where they can find information about the project during Phase Two and Phase Three of the consultation and in the lead-up to submission and thereafter.
Boston Borough Council	That should the Secretary of State accept the application then the developer to be requested to provide a dedicated hub to allow on-going access to the progress of the development for the public.	The developer has identified that a visitor centre at the Facility will be included in the DCO application. This could be used as an information hub.
Boston Borough Council	That the Household Waste Recycling Centre at Slippery Gowt be used as an information site to issue information on the development.	The household recycling centre on Bittern Way/Nursery Road is not owned or operated by the Applicant, and as such, the operator of the Facility would be under no obligation to engage its staff in providing information about the Facility. We sent posters advertising the Phase Two and Phase Three PIDs to the centre and other businesses in the area, with the request that they were displayed.
Boston Borough Council	That the developer be asked to liaise with the Environment Agency to ask if they would feed back on their experience of consultation with residents during their consultation on the Boston Barrier project.	The project team are in ongoing discussions with the Environment Agency (EA) as part of the section 42 consultation, and this dialogue has continued as the DCO application progresses.

4.3.11 A copy of the published SoCC can be found in **Appendix 2.4**.

4.4 Publication of the SoCC

4.4.1 A notice was placed in the following local newspapers for two consecutive weeks, to comply with section 47 (6) of the Act, with details on how and where the community could inspect and comment on the SoCC. A list of publications and dates can be found in **Table 4-2** below.

Table 4-2 List of SoCC consultation notice publications and dates

Publication	Dates
Lincolnshire Free Press	11 and 18 December 2018
Boston Standard	12 and 19 December 2018
Spalding Guardian	13 and 20 December 2018

4.4.2 Copies of the notices are included in **Appendix 2.5**.

4.4.3 The final SoCC was made available on the project website www.bostonaef.co.uk on 14 December 2018 and, as stated in the newspaper notices placed, displayed in the locations as shown in **Table 4-3** for public inspection from 14 December 2018 to the end of the community consultation period on 18 January 2019.

Table 4-3 SoCC locations for public inspection

Venue and address	Opening times
Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR	Monday – Thursday 8.45am – 5.15pm Friday 8.45am – 4.45pm
Boston Library, County Hall, Boston, PE21 6DY	Monday – Wednesday 9.00am – 5.00pm Thursday 9.00am – 6.00pm Friday 9.00am – 5.00pm Saturday 9.00am – 4.00pm
Kirton Library, Wash Road, Kirton, Boston, PE20 1AN	Tuesday 10.00am – 1.00pm Thursday 2.00pm – 4.00pm Saturday 10.00am – 12.00pm
Kirton Town Hall, 19 Station Road, Kirton, Boston, PE20 1LD	Monday 9.00am – 9.00pm Tuesday 1.30pm – 3.30pm Wednesday 9.00am – 11.00am; 2.00pm – 4.00pm
Hubberts Bridge Community Centre, Hubberts Bridge, PE20 3SG	Sunday 8.00am – 12.00pm
Swineshead Pre-School, North End, Swineshead, PE20 3LR	Monday – Friday 8.00am – 4.00pm

4.4.4 Copies of the SoCC were also emailed and posted to all parish councils in the BBC area, with a request that they display it on their website and noticeboards where possible. A list of locations the SoCC was sent to can be found at **Appendix 2.6**.

Feedback received

4.4.5 No comments were received from members of the public on the SoCC during the community consultation period.

4.5 Background to the revision of the SoCC

- 4.5.1 The intended purpose of the Phase Two consultation was to allow local communities and stakeholders to comment on the content of the PEIR, and mitigation around the identified impacts. However, key data from the technology providers and Environmental Regulators were not available in time to allow the PEIR to be issued before this Phase of consultation began.
- 4.5.2 Therefore, a decision was taken in January 2019 to add an additional phase of consultation that would allow formal feedback to be made on the PEIR and mitigation. This consultation formed the statutory element of the section 42 and section 44 consultation programme, as well as a second phase of statutory section 47 consultation. The addition of this Phase changed the original strategy for consultation which was agreed in the initial SoCC. This resulted in the need to amend the SoCC. The amended version was updated in March 2019.

4.6 Details of revisions made

- 4.6.1 The primary purpose of the updated SoCC was to explain the rationale behind the additional consultation phase.
- 4.6.2 Updating the SoCC after a phase of statutory section 47 consultation allowed the Applicant to include details of the activities carried out as part of this Phase. In particular, the activities that had been implemented following feedback on the initial SoCC were incorporated – for example, holding an additional PID in Wyberton, increasing the consultation area used and introducing a project Twitter feed.
- 4.6.3 The update provided the opportunity to provide more detail about the proposed site layout and processes used by the Facility, which had been refined since the initial SoCC was published.
- 4.6.4 No changes were required to the proposed consultation methods outlined in the initial SoCC.

4.7 Consultation with Local Authorities on the updated SoCC

- 4.7.1 In accordance with section 47 (2) of the Act, the Applicant carried out consultation with the Local Authorities in March/April 2019.

- 4.7.2 There were no changes to the consultation area that would impact an additional Local Authority not previously consulted; nor changes to the overall principles of the project. Therefore, the Local Authorities consulted with were the same as for the initial SoCC, as listed in Section 4.3 above.
- 4.7.3 An email was sent to all six Local Authorities on 15 March 2019, informing them that the SoCC was being updated. Copies of the SoCC were sent via email and post on 27 March 2019. A consultation end date of 25 April 2019 was given in line with the requirement for a statutory 28-day consultation period, starting the day after the document was received.
- 4.7.4 BBC contacted the Applicant via email on 20 March 2019 to request that the 28-day consultation period be extended to allow the updated SoCC to be presented to elected members at the Environment & Performance Scrutiny Board on 18 June 2019 following local council elections. The Applicant responded to BBC stating that it could not extend the consultation period on the updated SoCC to June because this would cause significant delays to the progress of the project. BBC were advised that the period specified by the Act for consultation is 28 days and that the updated SoCC would be submitted for consultation before the end of March 2019.
- 4.7.5 ELDC's response was received on 8 April 2019 stating that the authority had no further comments to make.
- 4.7.6 LCC's response was received on 9 April 2019 stating that they did not wish to make any comments as they were happy with the content.
- 4.7.7 SHDC's response was received on 18 April 2019, with the following statement made:
- The draft SoCC is considered a comprehensive document, however the one comment I would make would be in relation to information about the project and background information. A major concern with these types of plants is emissions and the potential implication for Air Quality.*
- 4.7.8 BBC's response was then received on 25 April 2019 stating that there were no comments to be made at this stage.
- 4.7.9 NKDC's response was received on 25 April 2019, stating that they had no observations on the updated SoCC.
- 4.7.10 Copies of the email sent and the responses received during statutory consultation on the updated SoCC can be found at **Appendix 2.7**.

4.7.11 As no amendments were requested by the consultees, the SoCC was then prepared for publication.

4.7.12 The final version of the updated SoCC can be found in **Appendix 2.8**.

4.8 Publication of the updated SoCC and notice

4.8.1 A notice was placed in the local newspapers for two consecutive weeks to comply with section 47(6) of the Act. The notice provided details on how and where the community could inspect and comment on the SoCC. The publications are listed in **Table 4-4**.

Table 4-4 List of updated SoCC consultation notice publications and dates

Publication	Dates
Lincolnshire Free Press	30 April and 7 May 2019
Boston Standard	1 May and 8 May 2019
Boston Target	1 May and 8 May 2019
Spalding Guardian	2 May and 9 May 2019

4.8.2 Copies of the notices are included in **Appendix 2.9**.

4.8.3 The final SoCC was made available on the project website www.bostonaef.co.uk on 8 May 2019 and displayed in the locations listed in **Table 4-5** for public inspection from 7 May to 7 June 2019.

Table 4-5 Updated SoCC locations for public inspection

Venue and address	Opening times
Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR	Monday – Thursday 8.45am – 5.15pm Friday 8.45am – 4.45pm
Boston Library, County Hall, Boston, PE21 6DY	Monday – Wednesday 9.00am – 5.00pm Thursday 9.00am – 6.00pm Friday 9.00am – 5.00pm Saturday 9.00am – 4.00pm
Kirton Library, Wash Road, Kirton, Boston, PE20 1AN	Tuesday 10.00am – 1.00pm Thursday 2.00pm – 4.00pm Saturday 10.00am – 12.00pm

Venue and address	Opening times
Kirton Town Hall, 19 Station Road, Kirton, Boston, PE20 1LD	Monday 9.00am – 9.00pm Tuesday 1.30pm – 3.30pm Wednesday 9.00am – 11.00am; 2.00pm – 4.00pm
Hubberts Bridge Community Centre, Hubberts Bridge, PE20 3SG	Sunday 8.00am – 12.00pm
Swineshead Pre School, North End, Swineshead, PE20 3LR	Monday – Friday 8.00am – 4.00pm

4.8.4 Copies of the SoCC were emailed and posted on 8 May 2019 to all parish councils in the BBC area and also to the venues used for the PID, with a request to display it on their website and noticeboards where possible. A list of locations the updated SoCC was sent to is provided in **Appendix 2.10**.

Feedback received

4.8.5 No comments were received on the contents of the SoCC during the community display period.

4.8.6 However, an email and a voicemail were provided by a member of the public on 3 June 2019 regarding PID meeting locations with reference to Kirton Town Hall. It was apparent that the person had thought that Kirton Town Hall would be used for a PID. The matter was resolved by a response to that person confirming that we were not having a public meeting at Kirton Town Hall, only displaying the SoCC there.

Compliance with SoCC commitments

4.8.7 The SoCC compliance checklist in **Table 4-6** below demonstrates how the Applicant undertook section 47 statutory consultation with the local community and key stakeholders in accordance with the initial and updated SoCC.

Additional consultation outside of scope of SoCC

4.8.8 Comments received on the original SoCC and during Phase One consultation led to the following changes being made to the consultation process during Phases Two and Three:

- The consultation zone was increased to include the whole BBC area.
- The addition of a PID venue in Wyberton ward, meaning six events were held at Phase Two and Phase Three.



- The creation of a dedicated Twitter page to widen the range of channels available.
- An increased circulation of posters promoting the PIDs, including local schools and additional local businesses.

Table 4-6 SoCC compliance checklist

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
Prior to finalisation, a draft version of this SoCC was issued to Lincolnshire County Council and Boston Borough Council in order to obtain their feedback prior to the formal consultation taking place.	1.1.3	1.3.1	The draft initial SoCC was sent to BBC and LCC for informal review on 18 September 2018, with a seven-day period given for responses. The feedback received was taken into account in finalising the version for formal Local Authority consultation.
The SoCC was advertised in the Boston Standard, Boston Target, Lincolnshire Free Press and the Spalding Guardian and is available on the Project website www.bostonaef.co.uk and at the information points listed in paragraph 9.8.2 [of the SoCC].	1.1.6	1.3.5	Public Notices were placed in the Boston Standard, Spalding Guardian and Lincolnshire Free Press w/c 10 and 17 December.
As well as local community consultation, the Applicant is consulting with statutory consultees in accordance with section 42 of the Act. Information on this consultation process is outside the scope of this document. Details from statutory consultation will be available in the Consultation Report submitted as part of our formal application for the DCO.	1.1.7	1.3.6	The Consultation Report includes details of section 42 consultation in each phase.
<p>The consultation process will focus on the details of the proposed DCO application:</p> <ul style="list-style-type: none"> • details of project proposals and parameters; 	1.3.4	1.5.4	<ul style="list-style-type: none"> • Detailed in project materials displayed at PIDs, in the SoCC and on the website. • The PEIR was published and consulted upon at Phase Three of the consultation. Hard copies of

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<ul style="list-style-type: none"> Preliminary Environmental Information (PEI) that has been gathered and how this has informed and affected the design; Proposals for maximising the positive effects of the Boston Alternative Energy Facility; and Minimising and mitigating any adverse effects on the local community or environment that could be caused by the project. 			<p>the PEIR were available at the Phase Three consultation events as well as digitally on the project website.</p> <p>A feedback summary was published on the project website after the Phase Three consultation closed, which gave details of feedback received on the PEIR.</p> <ul style="list-style-type: none"> The benefits of the Facility were publicised and consulted on during all four phases of consultation. <p>Mitigation of negative impacts were detailed in the PEIR and were consulted on during Phases Two and Three. Feedback was sought to identify concerns and inform mitigation measures.</p>
<p>This document identifies below how local communities will be able to comment on the proposals and help shape the proposed DCO application for the project. The first two rounds of non-statutory events of community consultation were held in September 2018 and February 2019.</p>	4.2.1	4.2.1	<p>PIDs took place in September 2018 and February 2019.</p>
<p>An additional round of statutory consultation is anticipated to take place in the second quarter of 2019. This round will build on the first two non-statutory rounds in terms of scope, content and reach, subject to any incorporated consultee suggestions and comments.</p>	4.2.2	4.2.2	<p>Phase Three PIDs were held in June and July 2019. This statutory round of consultation included consulting on the PEIR, as per statutory requirements.</p>
<p>As part of both the non-statutory and statutory consultation we will consult prescribed consultees (statutory consultees,</p>	4.2.3	4.2.3	<p>Section 42 prescribed consultees were consulted during all four phases, this included the offer of</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
statutory undertakers, relevant Local Authorities and relevant land ownership interests) and this will take place alongside the community consultation.			briefing sessions, face to face meetings and the opportunity to feedback on the proposals using the project feedback mechanisms.
The Project is considered 'EIA development' under Schedule 2 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Accordingly, an Environmental Impact Assessment must be carried out and an Environmental Statement, reporting on the likely significant environmental effects of the Project, must be prepared to accompany the DCO application.	4.4.1	4.4.1	The application is accompanied by an Environmental Statement (Document ref: 6.2).
A Preliminary Environmental Information Report (PEIR) will be prepared before the final Environmental Statement. The PEIR will include details of preliminary assessment findings associated with the issues that were agreed at the Scoping stage. The PEIR is anticipated to be published for consultation in Q2 2019 and will be made available to the public to view free of charge at locations to be confirmed, as well as through publication on the Boston Alternative Energy Facility website and the PINS website. The PEIR will include a description of the proposals and baseline information (to date) and identify the potential impacts of the development, as well as possible mitigation measures to reduce, prevent or offset these. The responses from the Public Information Days held in September 2018 and February 2019 will help shape the PEIR.	4.4.2	4.4.2	Feedback summaries from Phase One and Phase Two have been produced and will inform mitigation measures. The PEIR was made available in hard copy for public viewing at four locations as well as being presented at the Phase Three PIDs.

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<p>There will be a statutory round of Public Information Days after the PEIR is published. These are required by law as part of the consultation process for a DCO. This will allow the consultees to see how the first two rounds of consultation influenced the PEIR; and will also allow further comments to be raised to help shape the final Environmental Statement.</p>	4.4.3	4.4.3	<p>Phase Three PIDs were held during June and July 2019 in order to consult on the PEIR. A feedback form was available at the PIDs and on the project website and comments could also be made using the project feedback mechanisms. A further round of statutory consultation with section 42 consultees took place at Phase Four.</p>
<p>Our consultation materials will include information on the potential community impacts and likely environmental topics and will identify the topics which have the potential to give rise to significant effects during construction and/or operation. These are dictated by the Scoping Opinion from PINS and include topics such as socio-economics, health, cultural heritage and archaeology, traffic and transport, noise, air quality, soils, hydrology, ecology, the marine environment, landscape and visual impacts.</p>	5.4.1	5.4.1	<p>Information was included on the Phase Two and Three exhibition boards about impacts in the areas defined by the Scoping Opinion.</p>
<p>Our third phase of consultation will outline proposed environmental mitigation to avoid or reduce any adverse impacts on local communities; and will also highlight the significant potential benefits to the local and regional community, for example in relation to employment and training opportunities.</p>	5.4.2	5.4.2	<p>Information on both mitigation of impacts and local benefits was included on the Phase Three exhibition boards.</p>
<p>The project team is committed to consulting widely, honestly and comprehensively – to allow representations to be incorporated into the project and influence it, where practicable and appropriate.</p>	6.1.1	6.1.1	<p>PIDs and the SoCC have been advertised through several channels, as have the webinars and telephone surgery for the Phase Four consultation. There were a range of ways in which people could leave feedback and influence the project, including consultation feedback forms and feedback mechanisms.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
The website will be updated as the consultation process progresses.	6.3.2	6.3.2	The website is regularly updated with news items and new documents.
<p>In order to secure the attention of the “Hard to Reach” audiences, we will offer the opportunity for materials to be translated to other appropriate languages on request. The languages that were suggested by Boston Borough Council were Polish, Lithuanian, Portuguese and Russian, however we will consider other languages on request.</p> <p>For the Phase One Public Information Days, the poster for the events included a sentence in each of these four languages which offered a translated version on request.</p> <p>Employers close to the site were also contacted, and asked which languages were most commonly spoken by their employees. As a result, the posters were translated into Polish, Latvian and Lithuanian and sent to these businesses.</p>	6.4.2	6.3.12	<p>'Please contact us if you need this document in another language' in Polish, Lithuanian, Portuguese and Russian was added to the website and Phase One, Phase Three and Phase Four posters.</p> <p>Phase One and Two posters were translated into the most frequently spoken languages at local businesses - Polish, Latvian and Lithuanian - and sent to a database of local businesses.</p> <p>Phase Three posters were translated into Polish, Russian, Portuguese, Latvian and Lithuanian and sent to local businesses.</p>
This approach has been reviewed ahead of the Phase Two Public Information Days, and we will continue to liaise with the Local Communities Development Officer from Boston Borough Council regarding appropriate engagement with those where English is not their first language.	6.4.3	6.3.13	A phone discussion was held with the Local Communities Development Officer ahead of Phase Three consultation.
Within the Boston Borough Council area, there is a sizeable element of the population who live rurally. In some of these areas, public transport is infrequent and internet capability is poor. For this reason, we are holding Public Information Days in a range of locations to ensure as many people as possible can attend, and will ensure both offline and online channels are used for communication.	6.4.4	6.3.14	PIDs were held in five locations across the BBC area during Phase One, and six during Phases Two and Three. The events were publicised via a Royal Mail maildrop, posters across the area, and media coverage and adverts in local newspapers, as well as on the project website to ensure information was accessible to all.

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<p>We have discussed the best channels to engage with the local Boston audience with a Community Engagement representative from Boston Borough Council. These channels will include:</p> <ul style="list-style-type: none"> • Attending and presenting at relevant group meetings, including parish councils and community groups to provide information directly to them to facilitate their participation in the consultation process; • Information to be distributed by Royal Mail maildrop to every home within the Boston Borough Council area; • Newspaper adverts; • Use of Boston Borough Council communication channels; • Use of parish council newsletters and communication channels; • Posters to be displayed on noticeboards and in shops in the local area, as well as at major local employers; • Press releases to local media; and • Posts on social media pages ahead of the Phase Two consultation period. 	<p>6.5.1</p>	<p>Not included in updated SoCC</p>	<p>During Phase One, Two and Three consultations, parish councils were offered the opportunity for the project team to attend one of their meetings. The Phase Four consultation offered the opportunity for parish councils to attend an online meeting. Information was also sent to parish councils during the Phase 1-3 section 47 and SoCC consultations to display in the local community.</p> <p>For Phase One consultation, which was prior to the finalisation of the SoCC, information was sent to all homes and businesses within a 5km radius of the site. For Phases Two, Three and Four, following the finalisation of the SoCC, this was extended to every home in the BBC area.</p> <p>Adverts were placed in the Boston Standard, Lincolnshire Free Press and Spalding Guardian during all four consultation phases. An advert was also placed in the Boston Target during the Phase Four consultation</p> <p>Information was provided to BBC during the first three phases of consultation. Communication regarding Phase Four was provided to BBC in advance of it commencing.</p> <p>Parish councils were sent information and posters during Phases 1-3 of the consultation, to be displayed in the local community.</p> <p>Posters were displayed in various locations in BBC area and sent to local employers on 30 August 2018, prior to Phase One PIDs, on 29 January 2019 for Phase Two PIDs and 14 June 2019 for</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
			<p>Phase Three PIDs. Posters were also displayed in various locations in the BBC area on 31 July 2020 for Phase Four of the consultation.</p> <p>A press release was sent to several media outlets at each phase of consultation.</p> <p>A Twitter feed was set up prior to the Phase Two events and used during phases Two, Three and Four.</p>
<p>Original SoCC: The second phase of consultation will be in early 2019 after the PEIR is published. The PEIR will inform the Environmental Statement (to that point) to support the DCO application.</p> <p>Updated SoCC: Phase Three Consultation - A statutory consultation will be carried out, in accordance with Section 42 of the Planning Act 2008, after the PEIR is published.</p>	6.6.1	6.5.1	<p>Phase Two consultation was held in February 2019; however, the PEIR was not available at this time. Therefore, a third round of events were organised to provide the opportunity to consult on this information.</p> <p>The section 42 consultation started on 25 June 2019 when hard copies of the PEIR were made available for inspection, and ran until 6 August 2019.</p>
<p>During these events, attendees will be updated on how the proposals have changed since the previous consultations, demonstrating how we have responded to feedback. We will capture any remaining questions and will document how these influence the development of the final Environmental Statement.</p>	6.6.2	6.5.2	<p>Phase Three PIDs took place in June and July 2019. Feedback was received and incorporated into mitigation. Updated information was communicated via exhibition boards and published to the website. A feedback form was available at the PIDs.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
These events will be advertised in the same way as Phase Two consultation events, considering any lessons learnt previously. Any additional suggestions made as part of the consultation of this updated SoCC will also be considered.	6.6.2	6.5.3	The Phase Three events were advertised by a maildrop, posters, media release, social media and adverts in newspapers.
<p>It is important that it is clear what is being consulted upon during both the informal (non-statutory) and formal (statutory) phases of consultation. This will include:</p> <ul style="list-style-type: none"> • environmental factors (such as landscape and visual amenity, historic and archaeological features and local habitats and species); • economic factors (commercial activities, employment opportunities and investment in the community); and • social factors (such as public rights of way, noise during construction and educational opportunities). 	7.1.2	7.1.2	Questions were asked on these factors in the Phase One, Two, Three and Four feedback forms or online survey. Information was provided on these topics on the exhibition boards, during webinars and within the PEIR.
The wider area, within the red line, is defined by Boston Borough Council's boundary. This area was used as the consultation area for Phase Two following comments received from Boston Borough Council on the first SoCC; and will be used for the consultation area for Phase Three.	8.1.2	8.1.3	Mail drops and posters were distributed throughout the BBC boundary.
We have focused on residents of the town of Boston itself and communities in the surrounding local area. However, the consultation events will be advertised on a regional basis using the Boston Standard (part of the Lincolnshire Series), Lincolnshire Free Press and Spalding Guardian, and we would encourage those from the wider area with comments and opinions to engage.	8.1.3	8.1.4	Adverts were placed in these newspapers at each phase. All newspapers are circulated in the BBC area. Communications methods listed in the adverts to encourage engagement. Feedback forms were available online and at events, with the exception of Phase Four where due to COVID-19 restrictions they were only available online.

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<p>We are required by Section 42 of the Act to consult with certain organisations and people on our proposed Application. We will also notify these parties if the Application is accepted by PINS.</p>	8.3.1	8.3.1	<p>Statutory consultees were consulted during Phase Three and partly again at Phase Four. Section 42 consultees were offered meetings across the whole consultation.</p>
<p>The other non-statutory consultees are those agencies and organisations with whom we consult with as best practice and these include:</p> <ul style="list-style-type: none"> • local communities, i.e. Residents' Associations • local interest and amenity groups • local businesses • local MP; and • local councillors. 	8.3.1	8.3.1	<p>Community consultation has included: PIDs, website, email address and freephone number, leaflet drops with updates in Phase One, Two, Three and Four.</p> <p>These groups were covered in the Phase One, Two, Three and Four maildrops and via stakeholder letters.</p> <p>Large employers located close to the proposed site were sent the poster prior to the PIDs in Phases One, Two and Three in English and other identified languages. They were also included in the maildrop during each phase.</p> <p>Letters were sent to local MP Matt Warman during each phase with information about the project and the offer of a meeting. A meeting was held on 4 October 2019 following Phase Three consultation.</p> <p>Letters were sent to Boston Borough and Lincolnshire County councillors during each phase, and meetings held where requested.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
Briefings will be offered for Boston Borough and Lincolnshire County councillors at key stages of the DCO application process.	8.3.3	8.3.3	Letters were sent to Boston Borough and Lincolnshire County councillors during each phase, and meetings held where requested.
<p>We want to create opportunities for as many people as possible to get involved with the consultation. To do so, we will ensure the following documents are prepared and are made available on the project website, with hard copies available at the Public Information Days and on request:</p> <ul style="list-style-type: none"> • Slide pack - to enable us to offer presentations to local groups who are interested in hosting a session. • Exhibition materials - we will run open drop-in Public Information Days. Information boards and materials exhibited will provide context to and summarise the proposals. Staff will be on hand to answer questions, talk to participants and aid their understanding of the project with the aim of assisting them to contribute their views. • Document library - key documents relating to the proposals will be uploaded onto the project website, along with copies of the project brochure and of the SoCC. The documents will be uploaded to coincide with their release into the public domain. • This SoCC will be displayed at Local Authority offices and in other locations; and will be available online through the project website. 	9.1.1	9.1.1	<p>A slide pack was produced and made available on request to interested groups; however, it was not published on the project website.</p> <p>The exhibition boards for Phases One, Two and Three were added to the project website.</p> <p>Documents and news items were added to the website during the consultation period.</p> <p>Both the initial and updated SoCCs were made available at the BBC offices, Boston Library, Kirton Town Hall, Kirton Library, Hubbert's Bridge Community Centre and Swineshead Pre-School. They were also added to the project website.</p>
This SoCC will be displayed at Local Authority offices and in other locations; and will be available online through the project website.	9.1.1	9.1.1	Both the initial and updated SoCCs were made available at the BBC offices, Boston Library, Kirton Town Hall, Kirton Library, Hubbert's Bridge

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
			Community Centre and Swineshead Pre-School. They were also added to the project website.
<p>The Boston Alternative Energy Facility project team recognises that one method of consultation will not meet the requirements of every stakeholder group. For this reason, it is proposed to use a variety of communication methods as shown below.</p> <p>Consultation Events:</p> <ul style="list-style-type: none"> • Drop in Public Information Days • Stakeholder events/briefings <p>Written Communication:</p> <ul style="list-style-type: none"> • Project website updates (including responses to “Frequently Asked Questions”) • Email updates • Maildrop to residential and business addresses in the Boston Borough Council area • Responses to letters/emails • The PEIR, consultation packs and consultation booklet/leaflet <p>Verbal Communication:</p> <ul style="list-style-type: none"> • Presentations to Local Authorities, parish councils, specific interest groups, hard-to-reach groups etc. by invite 	9.2.1	9.2.1	<p>Four rounds of consultation events were held in September 2018, January – March 2019, June/July 2019 and August/September 2020.</p> <p>PIDs were held during Phases One, Two and Three. Webinars were held at Phase Four and a telephone surgery was offered to consultees, but not requested, during Phase Four as a result of COVID-19 restrictions.</p> <p>Stakeholders were invited to stakeholder briefings at each phase.</p> <p>FAQs have been added to the website along with other documents and news items throughout the development of the project.</p> <p>Email updates were sent to subscribers ahead of Phase Three consultation and during the Phase Four consultation.</p> <p>A brochure regarding the project was posted to landowners, taken to stakeholder briefing meetings and made available on the website.</p> <p>A maildrop was undertaken to addresses in the agreed consultation area for each phase.</p> <p>A communications process was in place for any emails or letters received; after an acknowledging response, the average duration between receiving an enquiry and sending a response was 8.7 days during Phases One, Two and Three. The PEIR was</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
			<p>displayed at Phase Three consultation events and made available on the website.</p> <p>Meetings have been offered to stakeholder groups and have been arranged if requested at each phase.</p>
<p>In addition to these non-statutory consultation events, we will issue an invite to all parish councils within the Boston Borough Council area to attend a meeting, if required.</p>	9.3.5	9.3.7	<p>An email was sent to the clerk of all parish councils to arrange a project representative to attend a parish council meeting for Phases One, Two and Three of consultation. An email was also sent to parish councils inviting them to attend a virtual meeting as part of the Phase Four consultation.</p>
<p>We will take feedback from Phase Two to shape Phase Three of consultation. We are intending to hold Public Information Days at the same venues used for Phase Two, subject to availability. We anticipate that these events will be held in late Q2 2019 and will be advertised using the same channels as Phase One and Two.</p>	N/A	9.3.6	<p>PIDs were held in June/July 2019 in the same venues as at Phase Two. These were advertised via a maildrop, adverts in local paper, social media, press release, posters displayed in the local area.</p>
<p>Seeking feedback is key to the principles of consultation. This will be sought using a variety of mechanisms, including:</p> <ul style="list-style-type: none"> • Feedback forms provided at the Public Information Days to provide detailed comments in response to specific questions; • An online version of the feedback form to be made available for 28 days after the Public Information Days. • A dedicated email and Freepost address to allow comments, questions and feedback to be made directly to the project team. 	9.4.1	9.4.1	<p>Feedback forms were provided at the Phase One, Two and Three PIDs. An online survey was available for the Phase Four consultation.</p> <p>An online survey was also made available on the date of the first PID of Phase One, Two and Three. Cards with the online survey link were made available at the PIDs for attendees. The deadline for responses for Phases One and Two was four weeks after the final PID. The Phase Three consultation ran for 31 days after the final PID.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<ul style="list-style-type: none"> A freephone number to contact the project team with comments and questions. 			<p>There were no PIDs held at Phase Four; the deadline for responses was at least 28 days after the start of the consultation.</p> <p>An email address and Freepost address were set up, which were published on consultation documents and the website.</p> <p>A freephone number was set up which was published on consultation documents and the website.</p>
<p>Where consultees approach the Boston Alternative Energy Facility project team by email or mail, the communication will be acknowledged within three working days following receipt of the enquiry. The team will endeavour to respond to the consultee within 20 working days, or up to a maximum of one month for complex queries. We will advise the consultee if the enquiry is considered to be complex.</p>	9.4.2	9.4.2	<p>Enquiries have received a holding response within three working days where possible, with the average final response being sent within 14.3 days of receipt.</p>
<p>Following each phase of consultation, we will have a period to consider feedback and review our proposals. We will collate and review the findings of each phase and publish a report on the Boston Alternative Energy Facility website and discuss updates with key stakeholders.</p>	9.5.1	9.5.1	<p>A feedback summary was produced and uploaded to the project website after each phase. The feedback summary from the previous phase was sent with the Phase Two and Three stakeholder letters.</p>
<p>This report will set out consultee responses and how we have addressed those responses in formulating the DCO application. Following this, we may carry out additional targeted consultation with members of the local community, as feedback is received, and the project is refined.</p>	9.5.2	9.5.2	<p>Feedback summaries were produced after each phase.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<p>All comments and information we receive will be recorded in a consultation database and be considered by the Facility project team. As part of our DCO application, we will provide a Consultation Report to explain how the views received have been incorporated into the project design process and EIA. If an issue has not resulted in a change to the proposed development, the Consultation Report will explain this. As there may be a large number of responses, the Consultation Report may group comments into broad issues of concern. Please note that all communications will be publicly available; however, no personal details will be published.</p>	9.5.3	9.5.3	<p>Consultation responses received were analysed and shared with the project team. Responses have been grouped by subject in this Consultation Report with copies included in the appendices.</p>
<p>Names and personal contact details (including email addresses, telephone number and home address) may be collected for the purpose of contacting and corresponding with consultees. Appropriate technical and organisational security measures are in place to protect any personal information we receive against unauthorised or unlawful use, and against accidental loss, damage or destruction in line with GDPR (General Data Protection Regulation) requirements. More information about these measures is available on request.</p>	9.5.4	9.5.4	<p>We have complied with GDPR by entering feedback into a spreadsheet within five days, storing hard copies in a locked box and then shredding once scanned in, password protecting scanned copies and databases. We have also developed a project privacy policy.</p>
<p>When the DCO application has been submitted, we are required to publicise this via an advert in the London Gazette, a national newspaper and local newspapers for two consecutive weeks. We will also inform the local community via a newsletter to be circulated via Royal Mail, and updates via our website www.bostonaef.co.uk</p>	9.6.1	9.6.1	<p>The DCO application will be publicised in the London Gazette, the Guardian, Fishing News and Lloyd's List for one week, and the Boston Standard for two consecutive weeks, in accordance with statutory requirements. The local community will be informed and our project website updated.</p>
<p>All project information will be available on our website at the following address www.bostonaef.co.uk</p>	9.7.1	9.7.1	<p>News items and documents are regularly updated on the project website.</p>

Commitment/Required action in Statement of Community Consultation	Paragraph in original SoCC	Paragraph in updated SoCC	How this was complied with
<p>Electronic and hard copies of key project documents will be available to view free of charge for inspection at the locations listed below throughout the pre-application period:</p> <p>Boston Borough Council Boston Library Kirton Library Kirton Town Hall Hubberts Bridge Community Centre Swineshead Pre-School</p>	9.8.2	9.8.2	The SoCC and updated SoCC were available at these locations. Hard copies of the PEIR were sent to the four locations which could accommodate the size of the report.
Hard and electronic copies of the SoCC will also be sent to all parish councils in the Boston Borough Council area.	9.8.4	9.8.4	These have been sent via email to parish clerks and hard copies have been sent via post with covering letter.
Hard copies of the SoCC will also be sent to the Public Information Day venues.	9.8.5	9.8.5	Hard copies have been sent in the post to these venues with a covering letter.

5 Phase One consultation

5.1 Introduction

- 5.1.1 This section sets out the Phase One consultation that took place during the early stages of the project development.
- 5.1.2 Phase One consultation communications provided information about the Facility, announced the Applicant's intentions to consult with local people, gave the dates, times and location of the PIDs and details of how the Applicant could be contacted.
- 5.1.3 Initial non-statutory engagement with stakeholders commenced in January 2018, continuing until the end of the year. The Phase One community consultation phase ended in October 2018. Details of the activity which took place as part of the informal engagement phase are set out below.
- 5.1.4 An inception meeting was held with the PINS on 25 January 2018 to introduce the scheme. Minutes from this meeting can be found at **Appendix 3.1**.

5.2 Who was consulted?

- 5.2.1 The following groups were contacted and invited to a meeting or a PID during the Phase One non-statutory stage of consultation:
- Statutory undertakers
 - Including Port of Boston, Environment Agency (EA) and Western Power Distribution.
 - Prescribed bodies¹
 - This included Lincolnshire Fire and Rescue, The Crown Estate and local planning authorities.
 - Local Authorities (under section 43)
 - Including county and district councillors.
 - Landowners and Persons with an interest in land (under section 44).

¹ Definition of 'prescribed bodies' as per Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations')

- The local community
 - The local community was defined as people living within a 5km radius of the Facility, as well as the relevant town and parish councillors.

5.3 Consultation with statutory stakeholders

5.3.1 The Applicant organised several introductory project meetings as part of the initial non-statutory engagement with prescribed consultees, statutory undertakers and local planning authorities.

5.3.2 During 2018 introductory meetings were held with the consultees listed in **Table 5-1**.

Table 5-1 Pre-Phase One consultee meetings

Date	Stakeholder/Consultee	Topic of discussion
8 February 2018	Port of Boston	An introduction to the overall project was provided including discussion of the wharf features and turning the vessels. Next steps of the project were also described. Included a visit to site with representatives of the Port of Boston.
14 March 2018	Lincolnshire County Council	Introduction to the scheme, timescales and consultation.
22 March 2018	Western Power Distribution	Meeting with Western Power Distribution to discuss the Facility and the on-site grid connection.
3 April 2018	Boston Borough Council	Meeting to present the scheme, discuss details and the involvement of BBC.
6 April 2018	Environment Agency	Introductory presentation to the scheme and time for questions and discussion.
17 September 2018	Lincolnshire Fire and Rescue Service	Site meeting with representatives from the Fire and Rescue service. Introduction of the scheme was provided with a specific focus on safety.
16 November 2018	The Crown Estate	Meeting with The Crown Estate to outline the project including wharf construction, timescales and procedure.

Date	Stakeholder/Consultee	Topic of discussion
13 December 2018	Environment Agency – Lincolnshire and Northamptonshire	Meeting to discuss flood defence for the Facility and the Environment Agency provided information on the Boston Barrier Scheme and the Haven Bank Scheme.

5.3.3 Copies of the notes from these meetings, where available, can be found in **Appendix 3.2**.

Meetings with local councillors and officers

5.3.4 Prior to the PIDs for Phase One, letters were sent on 24 August 2018 to Local Authority officers and councillors whose wards included or were adjacent to the proposed site, as well as local groups such as Lincolnshire Wildlife Trust. The letter introduced the proposals, publicised the PIDs, and invited the recipients to briefing sessions where information about the proposals and the opportunity to ask questions and share feedback would be available.

5.3.5 Further to the letter, the meetings detailed in **Table 5-2** were held with local representatives.

Table 5-2 Phase One meetings with Local Authority officers and councillors

Date	Stakeholder/Consultee	Topic of discussion
6 September 2018	Lincolnshire County Council: Support Councillor to Chairman of Lincolnshire Waste Partnership and Planning Manager	Stakeholder briefing to the project. There was time for questions and answers.
5, 6 and 7 September 2018	Boston Borough Council: Ward councillors for St Thomas, Wyberton and Boston Coastal wards. Leader of the Council Economic Development Manager	Meetings explaining the project and consultation process, time for questions, answers and discussion.
8 October 2018	South Holland District Council: Place Manager and Portfolio Holder for Waste	Stakeholder briefing to the project. There was time for questions and answers.

5.3.6 Copies of the notes from these meetings, where available, can be found in **Appendix 3.2**. No minutes were taken for the meeting with SHDC.

5.3.7 The letter sent, and full list of organisations it was sent to, is available at **Appendix 3.3**.

Scoping report

- 5.3.8 This type of Facility is not listed in Schedule 1 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). The Facility would be a Schedule 2 development (Paragraph 3. Energy industry (a) *industrial installations for the production of electricity, steam and hot water (projects not included in Schedule 1 to these Regulations)*). In consideration of the nature of the Facility and the associated elements, the Applicant determined that an EIA would be required without a request for a formal Screening Opinion, and has submitted an Environmental Statement (ES) with the DCO application for the proposed development.
- 5.3.9 Under Regulation 8 of the Infrastructure EIA Regulations 2017, an applicant is required to, inter alia, notify the Secretary of State of its intention to submit an ES. Under Regulation 10 of the Infrastructure EIA Regulations 2017, an applicant may request a Scoping Opinion from the Secretary of State to confirm the scope of information to be provided in the ES.
- 5.3.10 In line with Regulations 8 and 10, the Applicant gave its intent to submit an ES; and submitted an EIA Scoping Report to PINS along with a request for a Scoping Opinion on 30 May 2018. The report identified the potential for significant effects to arise from the construction, operation and decommissioning of the Facility and identified the main topic assessments which were proposed to be scoped into the EIA assessment. This was based on available information in relation to the site and the Facility.
- 5.3.11 A Scoping Opinion was received from the SoS via PINS on 18 July 2018 following its consultation with statutory consultees. This included the responses received from the relevant consultation bodies.²
- 5.3.12 The Scoping Opinion was used to inform the preparation of the PEIR and the ES. The ES (Document ref: 6.2) describes how feedback received from the Scoping Opinion has been taken into account on this project.

² <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010095/EN010095-000008-BAEF%20-%20Scoping%20Opinion.pdf>

5.4 Consultation with Persons with an interest in land

- 5.4.1 Persons with an interest in land affected by the development, or who may be able to bring a relevant claim should the application for development consent be granted and fully implemented, must be consulted under section 42(1)(d) of the Act. Section 44 consultees were formally consulted under section 42 during Phase Three consultation.
- 5.4.2 Section 44 of the Act sets out the categories of Persons within section 42 (1)(d) as:
- 5.4.3 A Person is within Category 1 if the Applicant, after making diligent inquiry, knows that the Person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
- 5.4.4 A Person is within Category 2 if the Applicant, after making diligent inquiry, knows that the Person –
- a. is interested in the land, or
 - b. has power –
 - i. to sell and convey the land, or
 - ii. to release the land.
- 5.4.5 A Person is within Category 3 if the Applicant thinks that, if the order sought by the proposed application were to be made and fully implemented, the Person would or might be entitled to make a relevant claim. A ‘relevant claim’ is then defined in section 44 by reference to a claim under section 10 of the Compulsory Purchase Act 1965 (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase), a claim under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by use of public works) or a claim under section 152(3) of the Act (compensation in case where no right to claim in nuisance).

Identifying consultees

- 5.4.6 The Applicant instructed Land Referencing company TerraQuest to undertake detailed land referencing to identify the Persons with an Interest in the Land (PILs). This involves the initial view of information supplied from Land Registry with further diligent enquiries being used via questionnaires to clarify this information with the PILs. Parties identified during this process are noted in the **Book of Reference** which is submitted as part of the application for Development Consent (see document 3.3). Land referencing has been undertaken throughout the pre-application period to ensure any changes in ownership or new interests have been identified, consulted and subject to engagement. Land Registry data was received in the form of a digital shape file (a GIS layer) and digital copies of the Official Copy Registers and Title Plans. All relevant freehold, leasehold, mortgagee, beneficiary, other charges and restrictive covenant information was extracted and stored in a land referencing database. Further Land Registry searches have been used to ensure that any changes in title in respect of land potentially required for or affected by the project were identified.
- 5.4.7 Land Interest Questionnaires were posted to each party to confirm their interest and request further information as a way to confirm details recorded in the Book of Reference. Site visits were also undertaken over all land parcels (if accessible via public highways/rights of way) in order to confirm land descriptions and to speak to landowners/tenants to clarify their details.
- 5.4.8 Land referencing will continue to be undertaken following the submission of the Application and throughout the DCO process to ensure that any changes in ownership (and/or interests in land) are identified and to ensure that any new interests will be consulted and are subject to engagement.
- 5.4.9 For Phase One non-statutory consultation, only the Category 1 and 2 consultees were identified and consulted with. In addition, no Category 3 consultees were identified during Phases Two, Three and Four of the consultation. This was because it was identified that the Environmental Permit for the Facility would set noise limits at a level recommended by BBC so that no parties outside of the permit boundary would be adversely affected by noise as this would be controlled by a condition of the permit. Similarly, construction-based noise would be controlled by the Code of Construction Practice which is a requirement of the DCO and will confirm acceptable noise limits with BBC. Full justification for not identifying any Category 3 consultees is provided in the **Statement of Reasons** (see document 3.1).

How were they consulted at Phase One?

- 5.4.10 A consultation pack was sent to each of the Category 1 and 2 consultees on the section 44 list provided on 24 September 2018 (see **Appendix 3.14**). This pack consisted of the project brochure and a covering letter which explained how they had been identified as consultees; gave details of the remaining upcoming PIDs and invited consultees to attend, and gave a link to the online survey which allowed them to give feedback on the proposals as they stood. The deadline for response was 19 October 2018, which was the closing date for the community consultation.
- 5.4.11 The project email and Freepost address were also provided in the letter, should the consultee wish to provide feedback through either channel.

Feedback received

- 5.4.12 No feedback was received from section 44 consultees as part of the Phase One consultation.

5.5 Community consultation

How were they consulted?

- 5.5.1 The local community and other stakeholders were consulted using several methods including:

Media releases

- 5.5.2 An initial media release was supplied to various local media outlets on 4 September 2018 introducing the Facility and announcing the Applicant's intent to begin Phase One of the non-statutory community consultation. The media release was supplied to the Boston Standard, the Skegness Standard, the Sleaford Standard, the Spalding Guardian, the Lincolnshire Free Press, Lincolnshire Live, Endeavour Radio and BBC Radio Lincolnshire.

Media coverage

- 5.5.3 Prior to the PIDs in September 2018, there were several news articles published by local media outlets about the Facility. These are displayed in **Table 5-3** below.

Table 5-3 News articles at Phase One

Date of publication	Media outlet	Method of publication	Description
9 September 2018	Lincolnshire Live	Online	Overview of Facility including details of PIDs
12 September 2018	Boston Standard	Newspaper	Overview of Facility including details of PIDs

Date of publication	Media outlet	Method of publication	Description
11 September 2018	Boston Standard	Online	Overview of Facility including details of PIDs
11 September 2018	Lincolnshire Reporter	Online	Overview of Facility including details of PIDs
12 September 2018	Lincolnshire Today	Online	Overview of Facility including details of PIDs
14 September 2018	BBC Radio Lincolnshire	Broadcast	Interview with project spokesperson about the Facility

5.5.4 Copies of the Phase One media release and media coverage can be found in **Appendix 3.4**.

Direct mail to residents and businesses

5.5.5 A flyer with information about the Facility and details of the Phase One PIDs was sent to 26,505 residential and business addresses within the 5km consultation area as part of the Royal Mail maildrop between 27 August 2018 and 8 September 2018. A copy of this flyer, along with a list of postcodes it was sent to, can be found in **Appendix 3.5**.

Poster

5.5.6 A poster was one of the means used to advertise the Phase One PIDs. The poster was placed on noticeboards, or left with the venue to be displayed, on 30 August 2018 at approximately 50 different locations including post offices, community facilities (such as libraries), shops and meeting venues including each of the PID venues. The poster advised the dates, times and locations of the PIDs and how the Applicant could be contacted.

5.5.7 A copy of the poster and a list of the locations where this was displayed/left with the venue to display can be found in **Appendix 3.6**.

5.5.8 To advertise the PIDs to some of Boston's "hard-to-reach" population, the poster was translated into other common languages used in the Boston area including Latvian, Lithuanian and Polish. The poster, along with translated copies, were sent to 16 local large employers, including businesses on the Riverside Industrial Estate and located within the wider consultation area, on 3 September 2018.

5.5.9 A copy of the translated posters and a list of the businesses they were sent to can be found in **Appendix 3.7**.

- 5.5.10 Five copies of the poster were sent to the clerks of 18 parish councils within the consultation area on 31 August 2018 with the request to display them on parish noticeboards.
- 5.5.11 A list of the parish councils the poster was sent to can be found in **Appendix 3.8**.

Newspaper notices

- 5.5.12 The Phase One PIDs were also publicised by placing public notices in the following local newspapers during the weeks commencing 27 August 2018 and 3 September 2018. Please see **Table 5-4** below for details.

Table 5-4 List of Phase One adverts placed

Newspaper	Publication date
Lincolnshire Free Press	28 August 2018; 4 September 2018
Boston Standard	29 August 2018; 5 September 2018
Spalding Guardian	30 August 2018; 6 September 2018

- 5.5.13 The Boston Standard is part of the “Lincolnshire Series”. This means that the newspaper notice was also placed in the Sleaford Standard, Mablethorpe Leader, Louth Leader, Skegness Standard, Spilsby Gazette, Horncastle News and Market Rasen Mail.
- 5.5.14 The circulation of these local newspapers extends beyond the location of the Facility and across the county of Lincolnshire. Therefore, the Phase One consultation was publicised well beyond the 5km boundary of the consultation area.
- 5.5.15 Copies of the public notice that was placed in the newspapers can be found in **Appendix 3.9**.

Public Information Days

- 5.5.16 Five PIDs were arranged by the Applicant to provide early engagement with stakeholders and the local community during the Phase One non-statutory consultation stage.
- 5.5.17 Venues were selected accounting for proximity to the site and their accessibility to the local community with public transport routes nearby. The events were held between 14 and 21 September 2018 on weekday and weekend afternoons and evenings to maximise opportunities for attendance. A total of 242 people attended across the five events.

5.5.18 Details of the events are provided in **Table 5-5** below.

Table 5-5 Phase One Public Information Day schedule

Venue	Date	Time
White Hart Hotel, 1-5 High Street, Boston, PE21 8SH	Friday 14 September 2018	2pm – 8pm
St Nicholas Community Centre, Fishtoft Road, Skirbeck, PE21 0AA	Saturday 15 September 2018	2pm – 8pm
Black Sluice Cottages, South Forty Foot Bank, London Road, Boston, PE21 7RA	Wednesday 19 September 2018	2pm – 8pm
Fishtoft Pavilion, Playing Fields, Church Green Road, PE21 0RN	Thursday 20 September 2018	2pm – 8pm
Frampton Church House Village Hall, Middlegate Road, Frampton, Boston, PE20 1AW	Friday 21 September 2018	2pm – 8pm

5.5.19 Attendees were asked to enter their details onto a “Registration Sheet” to provide a record of their attendance. A copy of the Phase One PID registers can be found in **Appendix 3.10**, with personal information redacted to comply with data protection laws.

5.5.20 Attendees were also asked to complete a feedback form at the event, or at home to be later posted to the Applicant via the Freepost address. The form was also made available on the project website www.bostonaef.co.uk.

Consultation materials

5.5.21 Thirteen A0 exhibition panels were on display at the events, along with A0 printouts of location maps and site layouts. A video explaining the feedstock processing element of the Facility was played on repeat for attendees to view. Members of the project team were available to talk attendees through the information available, answer questions and take feedback.

5.5.22 A copy of the consultation materials and feedback form can be found at Appendices 3.11 - 3.13:

- **Appendix 3.11** – Phase One public exhibition boards.
- **Appendix 3.12** – Phase One A3 site layout map.
- **Appendix 3.13** – Phase One feedback form.

Project brochure

5.5.23 A short brochure was produced in August 2018 to introduce the proposal. The brochure included the following information:

- The processes that are proposed to take place at the Facility.

- Where the Facility would be located.
- The benefits of the Facility.
- The need for the Facility.
- An explanation of the gasification process.
- How people can engage with the project.
- An overview of the DCO process.

5.5.24 The brochure was made available on the project website www.bostonaef.co.uk and given to stakeholders during Phase One non-statutory meetings. It was also sent to section 44 consultees as part of the consultation pack.

5.5.25 A copy of the brochure can be found in **Appendix 3.14**.

Project website, freephone number and Freepost address

5.5.26 A project website, email address and helpline were developed prior to publicising the Phase One non-statutory consultation to provide a channel for stakeholders to obtain information on the Applicant and the Facility, details of the consultation events, access the consultation materials and to contact the Applicant and provide feedback.

5.5.27 The project website, email address, freephone number and Freepost address were publicised via the media release, direct mail, posters and newspaper notices.

Feedback methods

5.5.28 Feedback could be provided to the Applicant via a range of methods during the Phase One consultation, listed below:

- Via the project website enquiry form.
- Via email to the project email address consultation@bostonaef.co.uk.
- Via the freephone number 0800 0014 050 by leaving a voicemail to which a member of the project team would reply.
- Via Freepost letter to Boston Alternative Energy Facility, FREEPOST RTLY-RLGH-GKSE, 25 Priestgate, Peterborough, PE1 1JL.
- Via the feedback form provided at the public information events held in September 2018 or the online feedback form which could be accessed using the following link: <https://www.surveymonkey.co.uk/r/bostonaefphase1>.
- Speaking to a member of the project team at one of the PIDs.

5.5.29 The methods of providing feedback were publicised through media releases, direct mail, posters, newspaper notices and the project website.

5.5.30 A copy of the feedback form, which asked several questions relating to the public information events, the importance of finding alternative ways to create energy, benefits of the project and mitigation measures can be found in **Appendix 3.13**.

5.6 Feedback received

5.6.1 A total of 71 feedback forms were received, including five which were completed online. Forty-seven respondents provided their contact details to receive project updates.

5.6.2 Additionally, in the period up to 31st December 2018, a further 67 enquiries were received via email, freephone or the project website, with 34 of these people registering to receive project updates.

5.6.3 Copies of the completed feedback forms, letters, emails and recorded comments are available on request. Personal information has been redacted from these documents to comply with GDPR.

5.6.4 Feedback received showed that:

- 70 of the 71 respondents recognised the importance of finding alternative ways of generating electricity (question 6);
- 69 people thought that generating electricity from waste is better than sending it to landfill (question 7);
- 53 people (75%) said the public information events increased their understanding of the Facility (question 5); and
- 66 people (93%) thought the consultation materials were helpful and informative (question 4).

5.6.5 A Feedback Summary report was published on the project website after Phase One closed, summarising the feedback received during the consultation. This can be found at **Appendix 3.15**.

5.6.6 A full breakdown of the issues raised by the community and local political representatives as part of the section 47 consultation have been grouped together under common themes and summarised in **Appendix 3.16**. This table shows how many times particular themes were mentioned, as well as a list of which groups of stakeholders raised the issue.

5.7 Phase One feedback analysis

5.7.1 **Table 5-6** summarises the main topics raised during Phase One community consultation by local community members and statutory consultees, and the number of times they were raised. As mentioned above, a full breakdown of these is provided in **Appendix 3.16**. The Appendix also includes a response to the issues raised and explains any changes that were made to the project as a result.

Table 5-6 Phase One main feedback topics

Topic	Count
Health and safety	24
Helpful visualisations/media at PIDs	25
Useful and informative PIDs	15
Helpful staff at PIDs	15
Noise impacts	22
Noise (mitigation)	11
Onshore ecology impacts	14
Air pollution	23
Emissions	15
Odour	14
Impact on the river and port	17
Traffic impacts	26
Traffic and transport (mitigation)	10
Socio-economic impacts	19
Local community benefits (mitigation)	15
Environmental (mitigation)	13
Use of landfill waste	33

5.7.2 Below are details of the specific issues raised for each of the main topics.

Health and safety

5.7.3 Health and safety concerns were raised by local community members, the EA, BBC and SHDC. Consultees had concerns over gasification technology and whether it was proven to be safe. There were comments regarding the transport and storage of RDF in terms of it containing hazardous waste or posing a fire risk. Similarly, risks concerning the transport of CO₂ were mentioned. Health and safety concerns were raised regarding the location of the site next to other industrial businesses and the Haven, for example if tidal flooding occurred this may be a safety risk. Consultees recommended having fit-for-purpose safety measures in place, full risk assessments and robust testing of equipment at the Facility.

Helpful visualisations and media at PIDs/useful and informative PIDs/helpful staff at PIDs

5.7.4 Local community members who had attended the PIDs said they found the exhibition boards very informative, the site location map useful and the gasification process video shown easy to understand. They felt the information presented was clear and concise, well-presented and the staff at the events were friendly and informative. Project team members at the events were able to answer specific questions and give a logical explanation of the project.

Noise impacts

5.7.5 Local community members and Boston Borough councillors raised concerns over noise pollution, particularly during construction. Disruption from piling the wharf was mentioned as a possible issue.

Noise impacts (mitigation)

5.7.6 Local community members made a number of suggestions on how noise impacts could be mitigated. One person requested that aggregate pellets are not moved at night. Other suggestions for mitigation were planting trees around the area to minimise both noise and pollution, building an acoustic barrier around the site, erecting a bank or screening, and reducing the noise impact of ships by turning them further away. Limiting noisy operations to usual daytime working hours as much as possible was suggested to reduce the impact on residents.

Onshore ecology impacts

5.7.7 Onshore ecology impacts were raised by a number of consultees including the local community, LCC, BBC and Natural England. Concerns included the Facility's long-term negative impact on wildlife and associated destruction of wildlife habitat, such as RSPB Frampton and the Site of Special Scientific Interest. One consultee raised the fact that there is a rare local plant in the area called the Boston Horsetail. Another consultee was concerned about the provision of habitat replacement, particularly the mud flats. It was felt that environmental standards must be closely monitored and wildlife habitats protected.

Air pollution

5.7.8 Local community members and the EA raised concerns about air quality, smoke and environmental pollution associated with the Facility. Pollution from traffic and shipping was also raised. A concern regarding the production of aggregate was that this made use of hazardous waste by diluting it.

Emissions

5.7.9 Similarly to air pollution concerns, comments were made by local community members and BBC regarding emissions, fumes and toxic waste in the air from the Facility. Emission of dioxins, CO₂ and fumes from exhaust gases was raised. There were concerns regarding the environmental impact of the gasification process or incineration / combustion within the Facility. Some consultees felt that a comparison of emissions levels should be shared with local businesses and methods of sampling and testing also made public. One consultee commented that regulations should be in place to shut down the Facility if harmful emissions are detected. Another consultee said emissions need to be low due to the amount of fresh produce being grown near to the site.

Odour

5.7.10 Odour concerns were raised by local community members and BBC. These included that this must be prevented from becoming a problem and it must be guaranteed that there will be no odour from the Facility.

Impact on the river and port

5.7.11 Local community members, BBC, Natural England and the Port of Boston commented on the impact on the river and port. Shipping impacts mentioned were how extra boats will pass other boats during the limited tidal window, the wharf position not impeding the movement of vessels when ships are docked there, and the fact that ships will have to turn at the turning circle in the Port of Boston as they cannot at the wharf. There were comments made regarding possible damage to riverbanks due to constant or heavy shipping traffic, or erosion of riverbanks by wash from large vessels. One consultee said the natural landscape of the river must be preserved. A comment was made that the economic viability of the Port of Boston could be compromised by the Facility limiting the number of ships able to enter and leave. A concern was also raised regarding the Facility's impact on the river itself and its flow, as well as the impact of the new wharf on embankments and associated wildlife.

Traffic impacts

5.7.12 Traffic was one of the issues commented on most at Phase One consultation. Comments were received from local community members, BBC and SHDC. Concerns were raised regarding an increase in traffic volume on the roads in and around the Facility and that this would be an issue as roads are already congested. This included construction traffic and traffic transporting aggregate. There were also concerns on tanker loads from the Humber and one comment that the appropriate infrastructure should be put in place before road transport commences. One consultee suggested that traffic approaches from the A16 and not the A52 southwest as there is a danger that residential roads would be used. One consultee said there may be a benefit to reducing the number of lorries transporting waste abroad or to landfill in the UK.

Traffic and transport (mitigation)

5.7.13 Local community members suggested a number of possible mitigation methods, including minimising road usage, carrying out traffic monitoring during construction and operation, making road improvements and controlling delivery times to avoid build ups. One consultee commented that minor roads within a three-mile area should be given a 30mph speed limit to deal with an increase in traffic. Consultees also mentioned taking measures to protect existing road and rail transport and ensuring no road transport is needed once the Facility is operational.

Socio-economic impacts

5.7.14 Local community members, BBC and LCC mentioned socio-economic impacts in their feedback. There were concerns regarding devaluation of property and the impact of the presence of waste, the Facility and piling works on the local business industry. Some consultees felt there were no benefits to Boston economically, or were concerned that no jobs for local people will be created or that these will be low-paid, short-term or unskilled jobs. Conversely, there was also positive feedback that the Facility will create local jobs. Comments were also made that the Facility should make a financial contribution to the local area.

Local community benefits (mitigation)

5.7.15 The EA, BBC, LCC and local community members made suggestions regarding local community benefits. These included conducting site visits to the Facility, providing regular updates, subsidising electricity locally, creating apprenticeship agreements and liaising with Boston College, and creating a viewing platform over the Facility. Specific suggestions were made for financial contributions to RSPB Frampton, local schools, local council, road construction and sponsorship of a local heritage conference. Some consultees also suggested the benefit of using waste heat from the Facility locally, for example to heat housing.

Climate change - environmental (mitigation)

5.7.16 Comments were made by local community members on a number of environmental mitigation measures. These included discussions with wildlife groups, consultation on the erosion of the riverbanks, environmental monitoring, developing environmentally friendly grounds, and taking steps to preserve the river's natural landscape and protect wildlife habitats as far as possible. Comments were made regarding the environmental impact of waste such as delivering waste in containers to an enclosed area, not storing waste outdoors and limiting the amount of waste stored. One consultee mentioned selling excess CO₂ to oil companies to reduce fracking.

Use of landfill waste

5.7.17 The most comments received at Phase One regarded the use of landfill waste at the Facility. These were largely positive comments that the Facility reduces the amount of waste going to landfill and prevents it from being transported abroad. Some concerns were raised that the RDF bales must be vermin-proof and that the Facility should process local waste as Boston should not be expected to accept landfill waste from across the UK.

6 Phase Two consultation

6.1 Introduction

- 6.1.1 This section sets out the Phase Two consultation that took place during the evolving stages of the project development.
- 6.1.2 Statutory consultation was undertaken as part of the section 47 consultation; non-statutory consultation was undertaken with section 42 consultees. The aim of this engagement was to notify and inform statutory undertakers, prescribed consultees, Local Authorities, political representatives and the local community about the development by introducing or providing an update on the proposals and seeking feedback. Consultees were also notified of Phase Two PIDs and invited to attend.
- 6.1.3 Phase Two engagement formally commenced **on 21 January 2019** for section 47 and section 42 consultees, and closed on 25 March 2019. Details of the activity which took place as part of this Phase is set out below.

6.2 Who was consulted?

- 6.2.1 The following groups were contacted and invited to consult during the Phase Two stage of consultation:
- Statutory undertakers.
 - Prescribed bodies
 - This included Natural England and LCC.
 - Local Authorities (under section 43)
 - Including county and district councillors.
 - Landowners and Persons with an interest in land (under section 44).
 - The local community
 - Following the finalisation of the initial SoCC, the local community was defined as local residents living within the BBC area.
- 6.2.2 A meeting was held with PINS on 24 January 2019 to provide a project update including a presentation on project developments and next steps. The meeting minutes can be found in **Appendix 4.1**.

6.3 Non-statutory consultation with statutory undertakers and prescribed bodies

6.3.1 During Phase Two consultation, introductory or update meetings were held with the consultees listed in **Table 6-1**.

Table 6-1 Phase Two consultee meetings

Date	Stakeholder/Consultee	Topic of discussion
11 February 2019	Natural England	Project update meeting with presentation on project developments and next steps. Focus on terrestrial and marine ecology issues.
1 March 2019	Lincolnshire County Council	Meeting to discuss impacts on public rights of way across the Facility site.
14 March 2019	Boston Borough Council	Meeting to discuss potential cumulative schemes to be considered.

6.3.2 Copies of the notes from these meetings, where available, can be found in **Appendix 4.2**.

Meetings with local political representatives

6.3.3 Prior to the Phase Two PIDs, letters were sent on 21 January 2019 to all Boston Borough and Lincolnshire County councillors. The letter introduced the proposals, publicised the PIDs, and invited the recipients to briefing sessions where information would be available about the proposals and the opportunity to ask questions and share feedback would be available. Meetings held with local representatives are shown in **Table 6-2** below.

Table 6-2 Phase Two meetings with local political representatives

Date	Stakeholder/Consultee	Topic of discussion
5 February 2019	Boston Borough Council: Leader of the Council and Economic Development Manager	Meeting providing an update on the project and consultation process; time for questions, answers and discussion.
6 February 2019	Boston Borough Council: Ward councillors for St Thomas, Wyberton and Boston Coastal wards	Meeting providing an update on the project and consultation process; time for questions, answers and discussion.

6.3.4 Copies of the notes from these meetings, where available, can be found in **Appendix 4.3**.

6.3.5 An example copy of the letter and the full list of organisations who were sent letters is available at **Appendix 4.4**.

6.4 Non-statutory consultation with Persons with an interest in land

Identifying consultees

- 6.4.1 For Phase Two non-statutory consultation, only the category 1 and 2 consultees were identified and consulted with. Further details about the reasons for not identifying any Category 3 consultees is provided above in 5.4.9 and full justification is provided in the **Statement of Reasons** (document: 3.1).

How were they consulted?

- 6.4.2 A letter was sent to each of the category 1 and 2 consultees on the section 44 list provided on 19 February 2019. As with Phase One, this letter explained how they had been identified as consultees and gave details of the Phase Two consultation with a link to the online survey which allowed them to give feedback on the proposals as they stood. They were given a deadline of 25 March 2019 to respond, which was the closing date for the community consultation. A copy of the Phase One feedback summary was also included for information.
- 6.4.3 The project email and Freepost address were also included in the letter to provide an opportunity for feedback through either channel.

Feedback received

- 6.4.4 No feedback was received from section 44 consultees as part of the Phase Two consultation.

6.5 Statutory community consultation

- 6.5.1 This section describes the statutory section 47 consultation that took place during Phase Two. During the months of January, February and March 2019, the Applicant engaged in statutory community consultation, alongside non-statutory consultation with prescribed bodies and statutory consultees.
- 6.5.2 The objective of Phase Two consultation was to provide an update on the development of the project. The project team also identified progress made on the baseline assessment and the early stages of impact assessment for various environmental topics, to be fed into the PEIR.

How the community consultation was publicised

- 6.5.3 The local community and other stakeholders were invited to attend PIDs via a range of methods, as detailed below.

Media release

6.5.4 A media release was supplied to various media outlets on 11 February 2019 providing an overview of the Facility, a summary of feedback received in Phase One and the Applicant's intent to begin Phase Two statutory community consultation. The media release also provided the dates, times and location of the public information events, the duration of the consultation, how people could provide feedback and the deadline for providing feedback.

6.5.5 The media release was supplied to the same media contacts as at Phase One as outlined in 5.52.

Media coverage

6.5.6 Prior to the PIDs in February 2019, there were several news articles published by media outlets about the Facility. These are displayed in **Table 6-3** below.

Table 6-3 News articles at Phase Two

Date	Media outlet	Channel	Summary
27 January 2019	Spalding Guardian	Online ³	Overview of proposals and potential for Facility to take local waste; announcement of Phase Two consultation
29 January 2019	MRW	Online ⁴	Overview of proposals and announcement of Phase Two consultation
12 February 2019	Spalding Guardian	Online	Overview of proposals and details of PIDs
13 February 2019	Boston Standard	Print and online	Overview of proposals and details of PIDs

6.5.7 Copies of the media release and media coverage can be found in **Appendix 4.5**.

Direct mail to residents and businesses

6.5.8 A newsletter with updates on the Facility, a summary of feedback received in Phase One and details of the Phase Two consultation was sent to 32,210 residential and business addresses in the BBC area via Royal Mail between 21 January 2019 and 2 February 2019.

³ <https://www.spaldingtoday.co.uk/news/new-alternative-energy-facility-could-take-in-waste-from-around-the-uk-9060210/>

⁴ <https://www.mrw.co.uk/latest/gasification-plant-could-process-a-third-of-uks-rdf/10039368.article>

- 6.5.9 Following feedback from Phase One, the newsletter was enclosed within a branded envelope to avoid being mistaken for circular mail. Additionally, following reports of non-delivery in Phase One, a mail monitor was set up by Royal Mail to monitor the delivery of items during the delivery period. Royal Mail were notified of the addresses of consultees who had not received the previous mailout and took action to ensure delivery at Phases Two, Three and Four.
- 6.5.10 A copy of the newsletter, envelope and the postcode regions it was sent to can be found in **Appendix 4.6**.

Posters

- 6.5.11 On 29 January 2019, a poster advertising the Phase Two PIDs was placed in similar accessible locations in the BBC area as at Phase One. A copy of the poster and a list of locations it was displayed can be found in **Appendix 4.7**.
- 6.5.12 The poster was translated into common second languages in the Boston area including Latvian, Lithuanian and Polish. The poster, along with translated copies, was sent to 44 local businesses, including businesses on the industrial estate adjacent to the Facility, on 7 February 2019. The posters were sent to a wider range of businesses compared to Phase One, including additional businesses closest to the site on Riverside Industrial Estate. A copy of the translated posters and a list of businesses they were sent to can be found in **Appendix 4.8**.
- 6.5.13 Five copies of the poster were sent to the clerks of 18 parish councils within the consultation area on 30 January 2019. A list of the parish councils the poster was sent to can be found in **Appendix 4.9**.

Newspaper notices

- 6.5.14 Phase Two community consultation was publicised by placing public notices in the following local newspapers during the weeks commencing 30 January 2019 and 6 February 2019, similarly to at Phase One. Please see **Table 6-4** below for details.

Table 6-4 Lists of Phase Two adverts placed

Newspaper	Publication date
Lincolnshire Free Press	29 January 2019; 5 February 2019
Boston Standard (and associated "Lincolnshire Series" publications)	30 January 2019; 6 February 2019
Spalding Guardian	31 January 2019; 7 February 2019

6.5.15 Copies of the public notices that were placed in the newspapers, where available, can be found in **Appendix 4.10**.

Social media

6.5.16 Prior to the start of Phase Two consultation, a project Twitter feed was created ([@bostonaefacili1](https://twitter.com/bostonaefacili1)).

6.5.17 The account was used to post information about the PIDs and aimed to reach a wider audience via engagement with other local Twitter users. Tweets published in the lead-up to the events received several hundred impressions (views).

Public Information Days

6.5.18 Six PIDs were arranged by the Applicant to engage with the community during Phase Two consultation. Venues were selected accounting for proximity to the site and their accessibility to the community with public transport routes nearby, with an additional venue in Wyberton added following feedback from the local community at Phase One and BBC in response to the SoCC.

6.5.19 Alternative venues were sought for two of the premises used in Phase One: Black Sluice Cottages, which was too small and was replaced with the nearby St Thomas' Church Hall; and the White Hart Hotel, which didn't have disabled access to the only room large enough for a consultation event and was replaced with The Ridlington Centre, another centrally located venue.

6.5.20 The events were arranged over two weeks between 15 and 23 February 2019 on weekday and weekend afternoon and evenings to maximise opportunities for attendance. In total, the PIDs were attended by 158 people across the six events.

6.5.21 Details of the events are provided in **Table 6-5** below.

Table 6-5 Phase Two Public Information Day schedule

Venue	Date	Time
Wyberton Parish Hall, London Road, Boston, PE21 7DE	Friday 15 February 2019	12pm – 4pm
St Thomas' Church, London Road, Boston, PE21 7EJ	Saturday 16 February 2019	12pm – 4pm
The Ridlington Centre, Sibsey Lane, Boston, PE21 6HB	Wednesday 20 February 2019	3pm – 7pm
Fishtoft Pavilion, Playing Fields, Church Green Road, Fishtoft, PE21 0RP	Thursday 21 February 2019	3pm – 7pm
Frampton Church House Village Hall, 140 Middlegate Road, Frampton, PE20 1AW	Friday 22 February 2019	3pm – 7pm

Venue	Date	Time
St Nicholas Community Centre, Fishtoft Road, Boston, PE21 0AA	Saturday 23 February 2019	1pm – 5pm

6.5.22 Attendees were asked to register on arrival and given a feedback form to complete either on the day or at home later. A Freepost envelope and a business card giving details of how to complete the survey online were provided for this purpose.

Consultation materials

6.5.23 Thirteen A0 exhibition panels were displayed at the events, including A0 printouts of site layouts. Videos explaining the feedstock processing and gasification elements of the proposals were played on a loop for attendees to view. Members of the project team were on hand to talk through the information available, answer questions and take feedback.

6.5.24 A copy of the consultation materials and feedback form can be found at Appendices 4.11 - 4.15:

- **Appendix 4.11** – Phase Two public exhibition boards.
- **Appendix 4.12** – Phase Two A0 site layout map.
- **Appendix 4.13** – Phase Two A0 zone of theoretical visibility.
- **Appendix 4.14** – Phase Two A3 site plan.
- **Appendix 4.15** – Phase Two feedback form, Freepost envelope and business card.

Feedback methods

6.5.25 Feedback could be provided to the Applicant via the same methods used during Phase One non-statutory consultation. Methods of providing feedback were advertised in the same ways as at Phase One.

6.5.26 A copy of the Phase Two hard copy feedback form, which was also available in an online version, can be found in **Appendix 4.15**.

6.6 Feedback received

6.6.1 The PIDs were attended by a total of 158 people across the six events.

6.6.2 A total of 57 feedback forms were received, including three which were completed online. Forty-nine respondents provided contact details on their completed feedback form to receive future project updates.

- 6.6.3 Additionally, in the period from the start of January to end of March 2019, a further 51 enquiries were received via email, freephone or the project website. Thirty of these people registered to receive project updates.
- 6.6.4 Copies of the completed feedback forms, letters, emails and recorded comments are available on request. Personal information has been redacted from these documents in order to comply with GDPR.
- 6.6.5 A feedback summary report was published after Phase Two closed, summarising the feedback received during the consultation. This can be found at **Appendix 4.16**.
- 6.6.6 The issues raised by the local community and local political representatives have been grouped under relevant topic headings and are summarised in **Appendix 4.17**.

6.7 Phase Two feedback summary

- 6.7.1 **Table 6-6** summarises the main topics raised during Phase Two statutory community consultation and how many times they were raised. A more detailed summary of these is provided in **Appendix 4.17** as well as a response to the issues raised and explains any changes that were made to the project as a result.

Table 6-6 Phase Two feedback topics

Topic	Count
Site location	16
Health and safety	9
Concern over lack of communication about consultation/lack of communication at previous phases	22
Useful and informative PIDs/helpful visualisations and/or media at PIDs/helpful staff at events	58
Lack of information presented at Phase Two	13
Noise impacts	26
Onshore ecology impacts	15
Air pollution	12
Emissions	15
Odour	17
Traffic impacts	16
Traffic and transport (mitigation)	15

Topic	Count
Socio-economic impacts	13
Use of landfill waste	36

6.7.2 Below are details of the specific issues raised for each of the main topics.

Site location

6.7.3 Comments were received from local community members that the site is too close to Boston, an established residential community, nature reserves and agricultural crops. Consultees also commented that the wharf is too close to the Port of Boston and that the river is the least accessible in the UK, narrow and with the highest tide. One consultee said that the bale storage location should be moved as it is unenclosed.

Health and safety

6.7.4 The local community raised concerns over high winds causing issues and fire risks at the Facility. One consultee had concerns over river safety. Suggestions for improving health and safety included having staff permanently on site who can control emissions and prevent hazards, such as a fully competent engineer, and putting risk assessments or procedures in place to avoid volatile waste entering the site.

Concern over lack of communication about consultation/lack of communication at previous phases

6.7.5 Local community members and a Boston Borough ward councillor raised concerns about the communication of the consultation, in particular that some consultees had not received maildrop letters at Phase One or Phase Two informing them of those phases of consultation. One consultee had expected an update on the PEIR and when it would be available. Another said they had expected subscribed consultees to be contacted and informed when feedback was published on the project website. One consultee felt the advertisement of the PIDs and project had been inconsistent.

Useful and informative PIDs/helpful visualisations and/or media at PIDs/helpful staff at events

- 6.7.6 Positive feedback was received regarding the PIDs. This included comments that the videos presented provided a clear explanation of gasification processes, maps and site plans were useful and detailed, a good amount of information was on display, staff were very knowledgeable and helpful, and consultees' questions were answered. One consultee said they felt concerns expressed at Phase One had been acted upon.

Lack of information presented at Phase Two

- 6.7.7 Some consultees felt that there was a lack of information presented at the Phase Two consultation. One consultee felt there should be information concerning the impact of similar facilities built elsewhere for comparison. There were comments that the PEIR was not available at Phase Two, and that there was no more information on noise, odour or pollutants than at Phase One.

Noise impacts

- 6.7.8 Concern over noise impacts was one of the most common comments made in feedback received from the local community. Consultees were concerned about the noise from piling, the Facility in operation, feedstock processing, the aggregate plant and the ships as they travel up and down the river. Consultees were also worried about low-frequency noise from the Facility and wanted working hours to be limited to the daytime. One consultee was concerned about a cumulative impact with the Port activities for local residents. Another consultee felt there would be noise impacts during construction and operation due to the flat landscape of Boston.

Onshore ecology impacts

- 6.7.9 Local community members and the Wildlife Trust had concerns regarding onshore ecology impacts from the Facility. Comments were made that ecology mitigation measures were inadequate. Impacts on the rare local plant Boston Horsetail was raised as an issue. There were also concerns over wildlife habitat reduction, riverbank removal and impacts of any mud removed from the river which is relocated onto land. The location of the site near to the wildlife areas of Frampton and Freiston was seen as possibly having an impact on wildlife. One consultee felt biodiversity net gain should be included in the project proposals.

Air pollution

- 6.7.10 Local community members raised concerns over air pollution, including particulates from processes, lorries and boats, and concern over the effects on humans, wildlife and agricultural crops. One consultee wanted to know the base measurements of local air quality.

Emissions

- 6.7.11 Concerns regarding emissions included issues over dioxins being released, toxic ash being produced and emissions from the exhaust including carcinogens and other toxins. Consultees requested information on the type of particulates being released by the Facility, and whether they would include plastic from the RDF bales, as well as the levels of PM10 and PM2.5. One consultee wanted to know how the Facility compared to emissions from landfill sites.

Odour

- 6.7.12 Community members had concerns over the odours from RDF bales, pollution and the gasification process.

Traffic impacts

- 6.7.13 Traffic impacts that were raised included concern over extra lorry movements associated with the Facility, particularly those travelling from the north and west, and issues relating to a general increase in traffic. Air and noise pollution from traffic were also mentioned. Traffic impacts during construction were mentioned; consultees did not want construction traffic to drive through residential areas and some felt the road structure around Boston is not suitable for such a traffic increase.

Traffic and transport (mitigation)

- 6.7.14 Suggested traffic and transport mitigation measures included using the river to transport other materials than RDF and therefore reduce traffic movements, building a bypass for construction traffic, or using the railway line which runs to the Port of Boston. One consultee said that the roads used must be able to accommodate heavy vehicles.

Socio-economic impacts

6.7.15 Some local community members felt that the scheme will benefit the local area. Negative socio-economic impacts mentioned were that an increase in traffic would affect the local produce industry, the fishing fleet will be affected by extra river traffic and fisheries may be affected by emissions. Some consultees felt there were few benefits other than employment and that there should be involvement between the project and Boston College.

Use of landfill waste

6.7.16 Many comments were received about the use of landfill waste. Consultees said that generating power from household waste is a good idea and preferable to sending it to landfill. The need for renewable energy generation that does not rely on weather or seasons was mentioned.

6.8 Post-Phase Two consultation meetings

6.8.1 In the period between the completion of Phase Two consultation and the start of Phase Three consultation, the Applicant continued to organise introductory meetings, or in some cases update meetings, as part of the engagement with prescribed consultees, political representatives and local organisations, businesses and schools.

Meetings with prescribed consultees and political representatives

6.8.2 After Phase Two consultation finished, introductory or update meetings were held with the consultees listed in **Table 6-7** under this section.

Table 6-7 Post-Phase Two meetings with prescribed consultees and political representatives

Date	Stakeholder/Consultee	Topic of discussion
27 March 2019	Port of Boston	Meeting to discuss the Navigation Risk Assessment and Navigation chapter of the PEIR.
3 April 2019	Marine Management Organisation	Meeting to discuss the scheme and potential impacts on the marine environment to identify what aspects of marine licensing need to be considered within the DCO.
30 April 2019	Lincolnshire County Council	Meeting to discuss possible Planning Performance Agreement.
10 May 2019	Anglian Water	Meeting to introduce the scheme and to discuss the requirement for water and wastewater services at the site

Date	Stakeholder/Consultee	Topic of discussion
		and the impact of development on Anglian Water's assets.
30 May 2019	South Holland District Council	Meeting to give a project update and discuss the use of waste at the Facility.
10 June 2019	Cambridgeshire County Council	Meeting to introduce the project and offer the opportunity to ask questions.

Meetings with local organisations, businesses and schools

6.8.3 Several meetings were also held with local organisations, businesses and schools after Phase Two closed and prior to Phase Three consultation. The purpose of these meetings was to introduce the project, provide information about the proposals, increase the Applicant's knowledge of the local context and potential issues, and to help identify any factors and considerations which would need to be considered in developing the proposals. Details of the meetings held are shown below in **Table 6-8**.

Table 6-8 Post-Phase Two meetings with local organisations, businesses and schools

Date	Stakeholder/Consultee	Topic of discussion
1 April 2019	Boston and Fosdyke Fishing Society	Meeting with the Boston fishing fleet representatives to discuss concerns surrounding navigational risk.
9 May 2019	Boston College	Meeting to discuss potential collaboration between Boston College and the Facility.
9 May 2019	Lincolnshire Police	Meeting to discuss safety concerns and give a project update.
13 May 2019	Eastern Inshore Fisheries and Conservation Authority	Meeting to give project updates and discuss potential project impacts on fisheries and the marine environment.
29 May 2019	Freshtime UK	Meeting to give project updates and discuss potential impacts on nearby businesses.

6.8.4 These post-Phase Two meetings acted as a follow up from the previous phase of consultation and provided an ongoing dialogue between the Applicant and key stakeholders.

7 Phase Three statutory consultation

7.1 Introduction

- 7.1.1 This section sets out the Phase Three consultation that took place.
- 7.1.2 The aim of this engagement was to consult prescribed consultees, relevant Local Authorities, political representatives and the local community on the PEIR.
- 7.1.3 Phase Three statutory engagement commenced on 25 June 2019 and finished on 6 August 2019 when the consultation closed for both section 42 and section 47 consultees. Details of the activities which took place as part of this Phase are set out below.
- 7.1.4 Stakeholder meetings continued past 6 August 2019, and feedback from these was recorded and considered up until 6 November 2019.

7.2 Who was consulted?

- 7.2.1 The following groups were contacted and invited to consult during the Phase Three statutory stage of consultation:
- Statutory undertakers (under section 42)
 - Including Port of Boston, Anglian Water and National Grid.
 - Prescribed bodies (under section 42)
 - Including Natural England, the EA and Wyberton Parish Council.
 - Section 43 Local Authorities (under section 42)
 - Including county and district councillors.
 - Section 44 landowners and Persons with an interest in the land (under section 42).
 - The local community (under section 47)
 - Following the publication of the updated SoCC in May 2019, the local community was defined as local residents living within the whole BBC area, as well as the relevant town and parish councillors.

7.3 Identifying section 42 consultees

- 7.3.1 This section sets out the approach taken to identifying the persons and bodies to be consulted with during all phases of consultation, in accordance with the Act. It lists those consulted both formally and informally under section 42 'Duty to consult' and section 47 'Duty to consult local community'.

Section 42 consultees

7.3.2 Section 42 consultees were identified as per section 42 of the Act and Schedule 1 of the APFP Regulations. Section 42 of the Act states:

The applicant must consult the following about the proposed application—

(a) such persons as may be prescribed,

(aa) the Marine Management Organisation, in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection (2),

(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.

7.3.3 Subsection 2 includes “waters in or adjacent to England up to the seaward limits of the territorial sea” so as above, the MMO were a consultee for this DCO. The Facility is not, however, located in Greater London, so the Greater London Authority was not a consultee.

7.3.4 In addition to the prescribed persons, regard has been had to those bodies consulted by PINS in respect of the EIA Scoping Opinion⁵, as well as the Annex to PINS Advice Note 3: EIA Consultation and Notification.

Section 42(a): Such persons as may be prescribed

7.3.5 ‘Such persons as may be prescribed’ (hereafter referred to as either ‘statutory undertakers’ or ‘prescribed bodies’) were identified using Schedule 1 of the APFP Regulations, taking into account changes made as a result of The Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013 (The PCIP Regulations). Regard was also had to PINS Advice Note 3: EIA Consultation and Notification, which provides guidance on how to identify prescribed consultees. Where there was any doubt as to whether a consultee should be included or not, the Applicant chose to include them.

7.3.6 TerraQuest, the land agent associated with the project, was asked to identify statutory undertakers who may have apparatus or land interests within or adjoining the red line boundary of the Facility. This search was undertaken by a third party which sought to identify utility companies which have existing plants or networks within the DCO boundary.

⁵ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010095/EN010095-000008-BAEF%20-%20Scoping%20Opinion.pdf>

7.3.7 **Table 7-1** and **Table 7-2** list the prescribed bodies and statutory undertakers that were identified and consulted with under section 42 and Schedule 1.

Table 7-1 Prescribed bodies consulted

Schedule 1 description	Organisation
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire East Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England – East Midlands
The relevant fire and rescue authority	Lincolnshire Fire and Rescue
The relevant police and crime commissioner	Lincolnshire Police and Crime Commissioner
The relevant parish council(s)	Wyberton Parish Council
The Environment Agency	Environment Agency – Lincolnshire and Northamptonshire
The Marine Management Organisation	Marine Management Organisation
The Civil Aviation Authority	Civil Aviation Authority
The relevant Highways Authority	Lincolnshire County Council
The relevant strategic highways company	Highways England - Midlands
The Canal and River Trust	The Canal and River Trust
The relevant internal drainage board	Black Sluice Internal Drainage Board
The relevant internal drainage board	Witham Fourth District Internal Drainage Board
Public Health England, an executive agency of the Department of Health	Public Health England
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission – East and East Midlands
The Secretary of State for Defence	Ministry of Defence

Table 7-2 Statutory undertakers consulted

Statutory undertaker	Organisation
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Lincolnshire East Clinical Commissioning Group
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
Canal or Inland Navigation Authorities	The Canal and River Trust
Dock and Harbour Authority	Port of Boston
The Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 of Part 1 of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
The relevant Environment Agency	Environment Agency – Lincolnshire and Northamptonshire
Homes and Communities Agency	Homes England
The relevant telecommunications provider	Openreach Limited British Telecommunications plc
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Energetics Gas Limited
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	National Grid Gas Plc

Statutory undertaker	Organisation
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
The relevant electricity distributor with Compulsory Purchase Order powers	Energetics Electricity Limited
	Energy Assets Networks Limited
	Energy Assets Fibre Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	G2 Energy IDNO Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Leep Electricity Networks Limited
	Murphy Power Distribution Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Utility Distribution Networks Limited
Western Power Distribution (East Midlands) Plc	
National Grid Electricity Transmission Plc	

Section 42(b): Each Local Authority that is within section 43

7.3.8 The relevant Local Authorities were identified by applying the Act section 43, subsections (1), (2) and (2A).

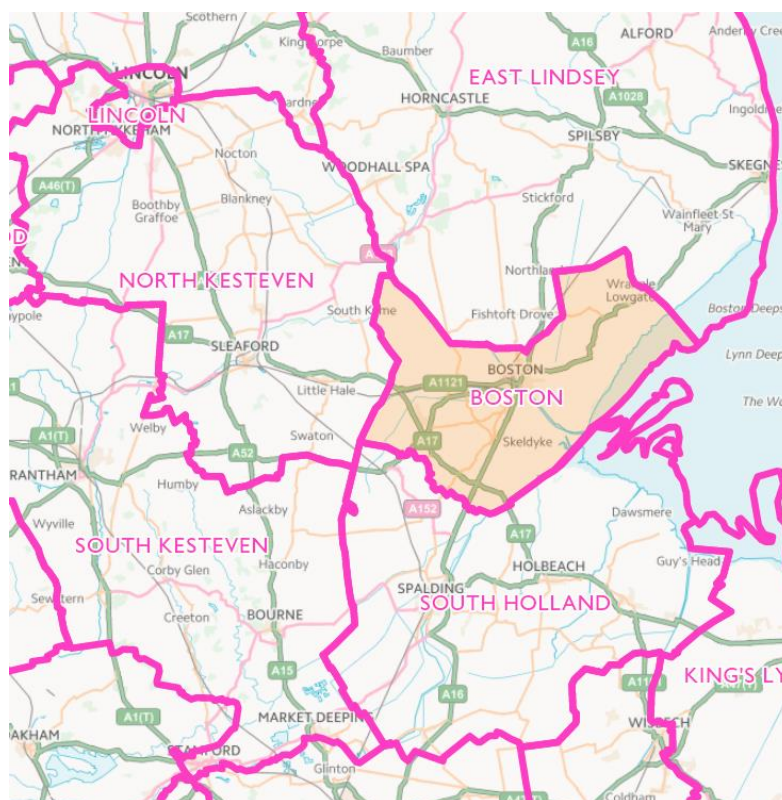
7.3.9 Section 43(1) states that “a local authority is within this section if the land is in the authority’s area”. The Facility’s site is entirely within the area of BBC, therefore BBC must be consulted.

7.3.10 Section 42(2) states that a Local Authority (“A”) is within this section if:

*the land is in the area of another local authority (“B” [B being BBC in this case]),
(aa) B is a unitary council or a lower-tier district council, and*

any part of the boundary of A's area is also a part of the boundary of B's area.

7.3.11 BBC is a district council. The map at **Plate 7-1** shows the administrative boundary of BBC and the district authorities that have an adjoining boundary. These are NKDC, ELDC and SHDC.



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Plate 7-1 Local Authority boundaries

7.3.12 Section 43 subsection (2A) states:

If the land is in the area of an upper-tier county council (“C”), a local authority (“D”) is within this section if—

- (a) D is not a lower-tier district council, and*
- (b) any part of the boundary of D's area is also part of the boundary of C's area.*

7.3.13 The Application Site lies within LCC. The boundary of LCC (a C Local Authority) is part of a number of other upper-tier county councils (D). See

7.3.14 **Table 7-3** below for a list of section 43 Local Authorities consulted.

Table 7-3 Local Authorities and categories as defined under section 42(1)(b)

Local Authority	Category of Authority
Boston Borough Council	B (lower-tier district council in which the development is situated)
South Holland District Council	A (lower-tier district council which shares a boundary with category B authority)
North Kesteven District Council	A (lower-tier district council which shares a boundary with category B authority)
East Lindsey District Council	A (lower-tier district council which shares a boundary with category B authority)
Lincolnshire County Council	C (upper-tier county council in which the development is situated)
North East Lincolnshire Council	D (upper-tier county council which shares a boundary with the host C authority)
North Lincolnshire Council	D (upper-tier county council which shares a boundary with the host C authority)
Rutland County Council	D (upper-tier county council which shares a boundary with the host C authority)
Peterborough City Council	D (upper-tier county council which shares a boundary with the host C authority)
Leicestershire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Northamptonshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Nottinghamshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Cambridgeshire County Council	D (upper-tier county council which shares a boundary with the host C authority)
Norfolk County Council	D (upper-tier county council which shares a boundary with the host C authority)

7.3.15 A complete list of prescribed consultees pursuant to section 42 is set out in **Appendix 5.1**.

7.3.16 Consultation materials relating to section 42 were deposited in hard copy as per requirements under section 48. See **section 8.6** of this report for more details.

7.4 Statutory consultation with section 42 consultees

7.4.1 A letter containing three documents was sent on 19 June 2019 to each of the consultees on the section 42 list at **Appendix 5.1**. These documents comprised:

- a section 42 cover letter giving details of the Phase Three consultation, including a link to an online version of the PEIR, and providing the project's contact details. Consultees were given a deadline of 6 August 2019, or 43 days, to respond, which was also the closing date for the community consultation;
- a paper copy of the updated project brochure summarising the proposed development; and
- a paper copy of the section 48 notice published on 12 June 2019, in line with Regulation 13 of the Infrastructure EIA Regulations 2017.

7.4.2 These documents can be found in **Appendix 5.2**.

7.4.3 Both the project email and Freepost address were provided in the letter to allow feedback to be provided through either channel.

Feedback received

7.4.4 Three responses were received from section 42 consultees acknowledging receipt of the letter. A further two responses advised that this was not the correct address for the specified consultee. A letter was then sent to the correct address.

7.4.5 A total of 17 responses to the Phase Three consultation were received from section 42 consultees by the deadline of 6 August 2019. These can be found in **Appendix 5.3**. Section 42 consultation responses have been addressed within **Chapter 7 Consultation** of the **ES** (document reference 6.2). Technical consultation responses, and where these have influenced the development and assessment of the project, is detailed in each technical chapter (**Chapters 8 – 24**) of the **ES** (document reference 6.2).

7.5 Statutory consultation with section 44 consultees under section 42

Identifying consultees under section 42(d): Each person who is within one or more of the categories set out in section 44

7.5.1 Section 44 defines several categories of persons to be consulted for the purposes of section 42(d):

- *Category–1 - if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.*
- *Category–2 - if the applicant, after making diligent inquiry, knows that the person—*
 - (a) is interested in the land, or*
 - (b) has power—*

(i) to sell and convey the land, or

(ii) to release the land.

- *Category–3 - if the applicant thinks that, if the order sought by the proposed application were to be made and fully implemented, the person would or might be entitled—*

(a) as a result of the implementing of the order,

(b) as a result of the order having been implemented,

(c) as a result of use of the land once the order has been implemented, to make a relevant claim.

A person is within Category 3 only if the person is known to the applicant after making diligent inquiry.

7.5.2 As per subsection (4), a “relevant claim” means:

(a) a claim under section 10 of the Compulsory Purchase Act 1965 (c. 56) (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase);

(b) a claim under Part 1 of the Land Compensation Act 1973 (c. 26) (compensation for depreciation of land value by physical factors caused by use of public works); and,

(c) a claim under section 152(3) of the Act [compensation in case where no right to claim in nuisance].

7.5.3 TerraQuest was instructed to identify any relevant Category 1, 2 or 3 parties. See **Table 7-4** below for the list of persons who were identified within these categories. Please note – no category 3 parties were identified. In addition to those included in the table below, there were four individuals who were identified as category 2 parties. Their names have not been included for GDPR purposes but can be provided to PINS upon request.

Table 7-4 Identified section 44 consultees

Category 1 parties	Category 2 parties
Aggregate Industries UK Limited	Aggregate Industries UK Limited
Alchemy Farms Limited	Alchemy Farms Limited
Anglian Water Services Limited	Biomass UK No. 3 Limited
Biomass UK No. 3 Limited	Lincolnshire County Council
British Telecommunications plc	Lloyds Bank PLC

Category 1 parties	Category 2 parties
Lincolnshire County Council	Mick George Limited
Openreach Limited	Western Power Distribution (East Midlands) plc
Western Power Distribution (East Midlands) plc	

7.5.4 Parties consulted with during Phase Three are noted in the Book of Reference which is submitted as part of the application for Development Consent (see document 3.3).

7.5.5 For Phase Three consultation, Category 1 and 2 consultees were identified and consulted with as statutory consultees under section 42. As explained above, no Category 3 parties were consulted as no parties who would be considered to fall within this category were identified. Further details about the reasons for not identifying any Category 3 consultees is provided above in 5.4.9 and full justification is provided in the **Statement of Reasons** (document reference 3.1).

How were they consulted?

7.5.6 A letter was sent under section 42 on 19 June 2019 to each of the Category 1 and 2 consultees on the section 44 list provided. As with Phase One and Phase Two, this letter explained how they had been identified as consultees and gave details of the Phase Three consultation and explained the project's feedback mechanisms. They were given a deadline of 6 August 2019 to respond, which was the closing date for the community consultation. A paper copy of the updated brochure summarising the Proposed Development and a paper copy of the section 48 advert published on 12 June 2019 were also included with the letter.

7.5.7 The project email and Freepost address were provided in the letter to allow the consultee to provide feedback through either channel.

Feedback received

7.5.8 One response was received from a section 44 consultee as part of the Phase Three consultation to state that they had no comments to make. A copy of the response can be found at **Appendix 5.4**.

7.6 Section 46 notification

7.6.1 Under section 46 of the 2008 Act, the Applicant was required to supply the SoS with information in relation to the proposed Application by providing section 42 consultation information on or before commencement of section 42 consultation:

(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the applicant would supply to the Secretary of State for the purpose of complying with section 42 if the applicant were required by that section to consult the Secretary of State about the proposed application.

(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.⁶

7.6.2 The Applicant therefore issued a hard copy and email copy of the section 42 consultation documents to the SoS on 20 June 2019, before statutory section 42 consultation commenced on 25 June 2019. These documents were the same as those issued to section 42 prescribed consultees, comprising:

- the section 42 cover letter;
- a paper copy of the project brochure; and
- a paper copy of the section 48 notice.

7.6.3 A copy of the section 46 notification letter can be found at **Appendix 5.5**.

7.6.4 A formal acknowledgement of receipt of the section 46 letter was received via email on 28 June 2019. A copy of this email can be found at **Appendix 5.6**. The acknowledgement of receipt was more than 28 days before the conclusion of the section 42 consultation period. Accordingly, the requirements of section 46 have been fulfilled.

7.7 Section 48 publicity

Introduction

7.7.1 This section details the activities undertaken by the Applicant to comply with the duty to publicise the proposed Application under section 48 of the Act). The Consultation Report must include details of section 48 publicity as outlined in section 37(7)(a) of the Act.

Legislative context

7.7.2 Section 48(1) of the Act requires the applicant to publicise the proposed application in the manner prescribed by Regulation 4 of the APFP Regulations.

⁶ Planning Act 2008

7.7.3 As stated in Regulation 4(2) of the APFP Regulations, the applicant must publish a notice:

(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;

(b) once in a national newspaper;

(c) once in the London Gazette⁷.

7.7.4 Regulation 4(3) states that this notice must include a statement that documents, plans and maps relating to the proposed development are available to view free of charge at places and times set out in the notice (with at least one address in the vicinity of the Proposed Development). It also states that the notice must give a deadline for the Applicant receiving responses which is not less than 28 days from the date of the notice publication. The content of the section 48 notice is discussed further at 7.7.8 below.

7.7.5 Copies of the PEIR, together with plans, maps and other documents showing the nature and location of the Proposed Development, were available free of charge from 25 June 2019 to 6 August 2019 at the locations listed in **Table 7-5**.

Table 7-5 Phase Three document inspection locations

Venue name and location	Opening times	
Boston Borough Council, Municipal Buildings, West Street, Boston, PE21 8QR	Monday – Thursday Friday Saturday Sunday	8.45am – 5.15pm 8.45am – 4.45pm Closed Closed
Boston Library, County Hall, Boston, PE21 6DY	Monday - Wednesday Thursday Friday Saturday Sunday	9.00am – 5.00pm 9.00am – 6.00pm 9.00am – 5.00pm 9.00am – 4.00pm Closed
Kirton Library, Wash Road, Kirton, Boston, PE20 1AN	Monday Tuesday Wednesday Thursday Friday Saturday Sunday	Closed 10.00am – 1.00pm Closed 2.00pm – 4.00pm Closed 10.00am – 12.00pm Closed
Kirton Town Hall, 19 Station Road, Kirton, Boston, PE20 1LD	Monday Tuesday Wednesday Thursday Friday Saturday – Sunday	1.00pm – 9.00pm 6.00pm – 8.00pm 6.00pm – 9.00pm 7.00pm – 10.00pm 9.00am – 11.00am Closed

⁷ <https://www.legislation.gov.uk/ukxi/2009/2264/regulation/4/made>

7.7.6 Regulation 13 of the Infrastructure EIA Regulations 2017 states that: *“Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the applicant in accordance with regulation 11(1)(c).”*

7.7.7 In compliance with Regulation 13, email and hard copies of the section 48 notice were sent to all section 42 consultees on 19 June 2019. See **sections 7.3** and **7.4** of the Report and **Appendix 5.2** for details of section 42 correspondence.

Content of the section 48 notice

7.7.8 The section 48 notice for the Facility was developed in accordance with the above legislation. As outlined in the APFP Regulations, the notice included:

- the name and address of the Applicant;
- a statement that the Applicant intends to make an application for development consent to the SoS;
- a statement that the Application is EIA development;
- a summary of the main proposals, specifying the location of the Proposed Development;
- a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;
- the latest date (6 August 2019) on which those documents, plans and maps will be available for inspection;
- whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;
- details of how to respond to the publicity; and
- a deadline for receipt of those responses (6 August 2019) by the Applicant, being not less than 28 days following the date when the notice is last published (19 June 2019).

7.7.9 A copy of the published section 48 notice can be found in **Appendix 5.7**.

Publications and timing

7.7.10 As required by section 48 of the 2008 Act and outlined in Regulation 4 of the APFP Regulations, the section 48 notice was published during Phase Three for two consecutive weeks in a local paper circulating in the vicinity of the proposed Application (Boston Standard), once in a national newspaper (Guardian) and once in the London Gazette.

7.7.11 **Table 7-6** shows the dates the section 48 notice was printed in each publication.

Table 7-6 Section 48 Notice publication and publishing dates

Publication	Date of first notice	Date of second notice	Evidence reference
Boston Standard	12/06/2019	19/06/2019	Appendix 5.7
Guardian	12/06/2019	N/A	Appendix 5.7
London Gazette	12/06/2019	N/A	Appendix 5.7

Compliance statement

7.7.12 Evidence about compliance with Regulation 13 of the EIA 2017 Regulations is provided in **Appendix 1**.

7.7.13 The section 48 notice was published in parallel with statutory Phase Three consultation under section 42 and section 47 of the 2008 Act. Phase Three statutory consultation was undertaken in a single phase with consultation opening and closing dates consistent across sections 42 and 47 and section 48 publicity.

7.7.14 Consultees were not requested to state whether they were responding to section 47 consultation or section 48 publicity, therefore responses to section 48 publicity will be included in the Phase Three non-section 42 consultee responses. This can be found in **Appendix 5.25**. No responses were received from any parties other than from section 42 and section 47 consultees as a direct result of the section 48 publicity.

7.7.15 Following the Phase Three consultation, it was identified that the statutory notice should also have been published in the Lloyd's List and an appropriate fishing trade journal. As a result, statutory notices were included in these publications as part of the Phase Four consultation. Full details are outlined in **Chapter 8**.

7.8 Statutory community consultation under section 47

7.8.1 The Applicant engaged in statutory public consultation from June 2019 to August 2019, alongside consultation with technical and statutory consultees as part of the Phase Three consultation process.

7.9 Statutory consultation with Local Authorities, key stakeholder, community groups and community consultees

7.9.1 Before and during the period over which the Phase Three PIDs were held, meetings were held on request with local political representatives, local community groups and community members to give information about the proposals and provide the opportunity for consultees to ask questions and give feedback.

Meetings with Prescribed Consultees and Local Authorities

7.9.2 Letters were sent to all Boston Borough councillors, Lincolnshire County councillors and relevant local groups on 31 May 2019 and 3 June 2019. The letter introduced the proposals, announced the publication of the PEIR and the upcoming PIDs and invited the recipients to attend round table briefing sessions. A copy of the letter and the full list of representatives who were sent letters is available at **Appendix 5.8**.

7.9.3 The meetings and round table briefing sessions outlined in **Table 7-7** were held with prescribed consultees and Local Authority representatives.

Table 7-7 Phase Three meetings with prescribed consultees and Local Authorities

Date	Stakeholder/Consultee	
19 June 2019	Boston Borough Council (Portfolio holder for environment; Economic Development Manager; Head of Environmental Operations; Ex-Forward Planning Officer)	Update on project and in-depth discussion of PEIR.

Date	Stakeholder/Consultee	
19 June 2019	Boston Borough Council (councillors for Wyberton Ward, Coastal Ward, Kirton and Frampton Ward, St Thomas' Ward)	Update on project and in-depth discussion of PEIR.
21 June 2019	Lincolnshire County Council (representative for Executive Councillor for Commercial and Environmental Management)	Update on project and in-depth discussion of PEIR.
23 July 2019	Black Sluice Internal Drainage Board	Update on project and in-depth discussion of the drainage area and potential impact of the project.

7.9.4 Copies of the notes from these meetings, where available and agreed, can be found in **Appendix 5.9**.

Meetings with key stakeholders, community groups and consultees

7.9.5 During this period of time, meetings were held with the key stakeholders, community groups and consultees listed in **Table 7-8** under this Schedule.

Table 7-8 Phase Three meetings with key stakeholders, community groups and consultees

Date	Stakeholder/Consultee	Topic of discussion
19 June 2019	RSPB Frampton	Meeting to give an introduction to the project and discuss potential community benefits.
25 June 2019	Lincolnshire Wildlife Trust	Round table meeting to discuss Phase Three statutory consultation and the publication of the PEIR.

Date	Stakeholder/Consultee	Topic of discussion
11 July 2019	Boston and Spalding pilots	Meeting to discuss navigation of The Haven in terms of the ships serving the proposed project.
12 July 2019	Local community members	Meeting requested by visually impaired local community members to discuss the project in detail and answer their questions.
26 July 2019	Boston and Fosdyke Fishing Society	Meeting to go through mitigation outlined in the PEIR for issues that impact the fishermen.

7.9.6 Copies of the notes from these meetings, where available, can be found in **Appendix 5.10**.

How the consultation was publicised

7.9.7 The local community and other stakeholders were consulted using a range of methods identified below.

Email to subscribed consultees

7.9.8 An email was sent to all consultees who had subscribed to receive project updates on 20 June 2019. A copy of the email can be found at **Appendix 5.11**.

Media release

7.9.9 A media release was supplied to various media outlets on 14 June 2019 providing an overview of the Facility and outlining the Applicant's intent to begin Phase Three of community consultation. The media release also provided the dates, times and location of the public information events, the duration of the consultation, how people could provide feedback and the deadline for providing feedback.

7.9.10 The media release was supplied to the same media contacts as at previous consultation phases.

Media coverage

- 7.9.11 Prior to the PIDs in June and July 2019, there were two news articles published by local media outlets about the Facility. Articles were published in the Boston Standard on 19 June 2019 and Lincolnshire Live on 21 June 2019 giving details of the Phase Three PIDs and consultation dates. A bulletin was also posted on BBC's MyBostonUK.com website.⁸
- 7.9.12 Copies of the media release and media coverage can be found in **Appendix 5.12**.

Direct mail to residents and businesses

- 7.9.13 A newsletter with updates on the Facility and details of the Phase Three consultation was sent to 32,344 residential and business addresses in the BBC area via Royal Mail between 3 June 2019 and 8 June 2019. The newsletter provided background information about the Facility, announced Phase Three of the public consultation, gave details about the PEIR, provided the dates, times and location of the PIDs, and gave details of how the Applicant could be contacted.
- 7.9.14 The newsletter was enclosed within a branded envelope to avoid being mistaken for circular mail.
- 7.9.15 A copy of the newsletter, envelope and the postcodes it was sent to can be found in **Appendix 5.13**.

Posters

- 7.9.16 A poster advertising the Phase Three consultation was placed in accessible locations in the BBC area on 14 June 2019. The poster advised the details of the Phase Three PIDs and how the Applicant could be contacted.
- 7.9.17 A copy of the poster and a list of locations where was displayed can be found in **Appendix 5.14**.
- 7.9.18 Five copies of the poster were sent to the clerks of 18 parish councils within the consultation area on 14 June 2019.
- 7.9.19 A list of the parish councils the poster was sent to can be found in **Appendix 5.15**.

⁸ <https://www.mybostonuk.com/third-phase-of-consultation-for-renewable-energy-plant/>

- 7.9.20 Posters were also sent to a number of hard-to-reach groups covering the Boston area. A list of the groups can be found in **Appendix 5.16**.
- 7.9.21 The poster was translated into common languages spoken by residents in the Boston area: Latvian, Lithuanian, Polish, Russian and Portuguese. The poster, along with translated copies, were sent to 44 local businesses on 21 June 2019, including businesses on the industrial estate adjacent to the Facility.
- 7.9.22 A copy of the translated posters and a list of businesses they were sent to can be found in **Appendix 5.17**.

Newspaper notices

- 7.9.23 The Phase Three community consultation was publicised by placing public notices in the following local newspapers during the weeks commencing 10 June 2019, 17 June 2019 and 24 June 2019. Please see **Table 7-9** below for details.

Table 7-9 Phase Three adverts placed

Newspaper	Publication date
Lincolnshire Free Press	18 June 2019; 25 June 2019
Spalding Guardian	13 June 2019; 20 June 2019

- 7.9.24 The newspaper notices provided information about the Facility, details on the public information events and how the Applicant could be contacted.
- 7.9.25 A copy of the public notice that was placed in the newspapers can be found in **Appendix 5.18**.
- 7.9.26 Further notices were placed with details of the PIDs as part of section 48. This is detailed earlier in the Consultation Report.

Social media

- 7.9.27 Details of the Phase Three PIDs were posted on the project Twitter feed ([@bostonaefacili1](https://twitter.com/bostonaefacili1)) during the weeks commencing 17 June 2019 and 24 June 2019.

Consultation with community

- 7.9.28 Six PIDs were arranged by the Applicant to engage with stakeholders and the community during Phase Three consultation. The same venues used for Phase Two were used for Phase Three. The events were arranged on 27 June 2019 and 6 July 2019 on weekday and weekend afternoons and evenings to maximise opportunities for attendance. In total, the PIDs were attended by 99 people across the six events.

7.9.29 Details of the events are provided in **Table 7-10** below.

Table 7-10 Phase Three Public Information Day schedule

Venue	Date	Time
Fishtoft Pavilion, Playing Fields, Church Green Road, Fishtoft, PE21 0RP	Thursday 27 June 2019	3pm – 7pm
Frampton Church House Village Hall, 140 Middlegate Road, Frampton, PE20 1AW	Friday 28 June 2019	3pm – 7pm
St Thomas' Church, London Road, Boston, PE21 7EJ	Saturday 29 June 2019	12pm – 4pm
Ridlington Centre, Sibsey Lane, Boston, PE21 6HB	Thursday 4 July 2019	3pm – 7pm
Wyberton Parish Hall, London Road, Boston, PE21 7DE	Friday 5 July 2019	1pm – 5pm
St Nicholas Community Centre, Fishtoft Road, Boston, PE21 0AA	Saturday 6 July 2019	12pm – 4pm

7.9.30 Attendees were asked to register on arrival and given a feedback form to complete either on the day, at home later or via an online link. A Freepost envelope was provided with the feedback form.

7.9.31 Fifteen A0 exhibition panels were displayed at the events, along with A0 printouts of site layouts. A video explaining the gasification element and shredding process of the proposals was played on a loop for attendees to view. A hard copy of the PEIR was presented at the events and copies of the non-technical summary of the PEIR were available for attendees to take away. An updated version of the project brochure was also available. Members of the project team were on hand to talk through the information available, answer questions and take feedback.

7.9.32 A copy of the hard copy consultation materials on display at the public information events can be found in **Appendices 5.19 - 5.23**:

- **Appendix 5.19** - Phase Three feedback form, Freepost envelope and business card.
- **Appendix 5.20** - Phase Three public exhibition boards.
- **Appendix 5.21** - Phase Three A0 site layout map.
- **Appendix 5.22** – Phase Three updated project brochure.
- **Appendix 5.23** – Non-technical summary of the Preliminary Environmental Information Report.

7.9.33 The Phase Three public exhibition boards were also loaned to BBC to display at the Scrutiny Committee and Cabinet Briefing meetings in July 2019.

Feedback methods

7.9.34 Feedback could be provided to the Applicant via the same methods used during Phase Two consultation. Methods of providing feedback were advertised in the same ways as at Phase Two.

7.9.35 A copy of the Phase Three hard copy feedback form, which was also available in an online version, can be found in **Appendix 5.19**.

7.10 Feedback received

7.10.1 A total of 23 feedback forms were received at or following the events, three of which were received online. Seventeen feedback form respondents provided their contact details in order to be added to the existing stakeholder list to receive project updates.

7.10.2 A feedback summary of the PIDs was produced and published on the project website on 20 September 2019. A copy of the feedback summary can be found in **Appendix 5.24**.

7.10.3 Copies of the completed feedback forms, letters, emails and recorded comments can be provided upon request. Please note, personal information will be redacted from these documents in line with GDPR.

7.10.4 The issues raised by section 47 consultees have been grouped and are summarised in **Appendix 5.25**.

7.10.5 The issues raised by section 42 consultees and the response provided by the Applicant to these, which was sent out at the time of Phase Three consultation, are detailed in **Appendix 5.26**. Comments from section 42 consultees at Phase Three were incorporated into future assessments. Full details on how these comments have been addressed can be found in **Chapters 7-24** of the **ES**.

7.11 Summary of section 47 feedback received at Phase Three

7.11.1 **Table 7-11** summarises the main topics raised during Phase Three statutory community consultation and how many times they were raised. The issues raised by section 47 consultees are summarised in more detail in **Appendix 5.25** including a response to the issues raised and explains any changes that were made to the project as a result.

Table 7-11 Summary of section 47 feedback at Phase Three

Topic	Count
Health and safety	7
Helpful visualisations and media at PIDs	7
Lack of information presented	13
Positive comment about proposals	12
Noise impacts	10
Air pollution	8
Odour	6
Traffic impacts	6
Traffic impacts (construction)	6
Socio-economic impacts	10
Socio-economic impacts (construction)	17
Climate change	9
Impact on human health	7

7.11.2 Below are details of the specific issues raised for each of the main topics.

Health and safety

7.11.3 Several comments were received regarding the fire risk of the RDF at the Facility. It was suggested that ensuring sufficient space between the silos containing RDF would be a prudent measure. One consultee felt the layout of the Facility improved fire safety. One consultee was concerned that it could not be guaranteed that the bales do not contain any hazardous waste since the origin of waste and waste contractors are not yet known. Another comment was a concern about the risk of explosion due to human negligence.

Helpful visualisations and media at PIDs

7.11.4 Several consultees commented that the layout visuals, location mapping and “Next steps” exhibition board were helpful.

Lack of information presented

7.11.5 There were a number of comments that the information presented at Phase Three was based on best guesses, projections and estimates only, and did not give a full picture. Similarly, it was felt by one consultee that the mitigation of impacts was not clear, and some big issues had been dismissed as “negligible” or “to be assessed”. One consultee was concerned that there was a lack of information about the effects on human health and wellbeing of those living close to similar Facilities.

Positive comment about proposals

7.11.6 A number of consultees felt the Facility was a good idea and felt there was a need for the project. Positives included stopping rubbish going to landfill, generating energy from waste and the use of residue (aggregate and CO₂).

Noise impacts

7.11.7 Concerns were raised over the noise from piling the proposed wharf, the noise during operation and the noise impact on nearby residents. One consultee commented that they felt noise pollution impacts seemed to have been thoroughly investigated.

Air pollution

7.11.8 Concerns were raised that the Facility would have similarities to the Derby Sinfon plant in terms of air pollution and impacts on local residents. One consultee felt that pollution facts were not covered in the PEIR, but another felt it had been fully investigated. Air pollution concerns were raised by one near neighbour to the site.

Odour

7.11.9 Comments included that the decomposition of waste, including maggots and flies, would cause it to smell, particularly if bales are ruptured and when they are cut open. One consultee wanted reassurance that ships at the wharf would not become smelly and polluted from split bales. Odour concerns were raised by one near neighbour to the site. Another consultee wanted assurance that odour would be managed during operation of the Facility.

Traffic impacts

7.11.10 One consultee raised the issue of parking close to the site. Several comments were made regarding the negative impact of vehicle movements associated with the project upon traffic in Boston, both during construction and operation. Consultees had concerns regarding traffic if the Facility takes waste from the Slippery Gowt waste transfer station and if employees are driving daily to a Facility car park. One response was concerned over traffic in Marsh Lane and other Lincolnshire roads due to their narrowness.

Traffic impacts (construction)

7.11.11 One consultee suggested no Saturday or holiday working at the Facility due to existing traffic issues. Another suggested constructing the dock area first and bringing in construction materials by ship to reduce vehicle movements. Consultees were concerned about the impact of construction traffic, particularly on the A16, A17 and around Boston.

Socio-economic impacts

7.11.12 Several consultees felt that the Facility would be positive for the local economy and were in favour of creating local construction jobs. There were a number of requests to ensure jobs are filled locally and local construction firms are employed. Some wanted further information on the jobs created and if there are any other local benefits. One consultee felt the CO₂ capture should be increased. One near neighbour to the site had concerns that the Facility could reflect unfavourably on the value of their property.

Socio-economic impacts (construction)

7.11.13 Consultees had concerns about the impact of construction on residents living close to the site. These included light and noise disturbance from overnight works, dust and smells. It was suggested that near neighbours are kept well informed of the construction timetable and a contact hotline set up so issues can be raised quickly. A few consultees were concerned that builders and subcontractors will not adhere to mitigation measures and that penalties should be introduced if they do not comply. One consultee wanted local firms used for construction work where possible.

Climate change

7.11.14 Consultees were generally positive that the Facility could help address climate change, for example by preventing waste being transported unnecessarily. A few consultees had concerns that the Facility would produce an increase in greenhouse gases rather than a decrease once operational, and that it would not be eco-friendly if waste was being transported from as far away as Scotland.

Impact on human health

7.11.15 The main concern raised with regards to human health and wellbeing was the impact of emissions on local residents. One consultee wanted the Applicant to look for evidence of any increase in respiratory disease or incidents of cancer related to such Facilities.

7.12 Post-Phase Three consultation meetings

7.12.1 In the period between the completion of Phase Three consultation and the start of Phase Four consultation, the Applicant held a number of meetings to continue engagement with prescribed consultees, political representatives and local organisations and businesses.

Meetings with prescribed consultees and political representatives

7.12.2 After Phase Three consultation finished, introductory or update meetings were held with the consultees listed in **Table 7-12** under this schedule.

Table 7-12 Post-Phase Three meetings with prescribed consultees and political representatives

Date	Stakeholder/Consultee	Topic of discussion
19 September 2019	Black Sluice Internal Drainage Board; Environment Agency; Lincolnshire County Council Highways and County Manager for Development	Update on project and in-depth discussion of the drainage area and potential impact of the project.
23 September 2019	Natural England	Meeting to discuss comments raised by Natural England following submission of the PEIR.
24 September 2019	Boston Borough Council Environment and Performance Scrutiny committee meeting	Presentation of the proposed scheme followed by a general discussion and question and answer session.
25 September 2019	Boston Borough Council and Lincolnshire County Council	Round table meeting to discuss traffic and transport for the proposed scheme including consideration of mitigation measures.
3 October 2019	Boston Borough Council and Lincolnshire County Council	Round table meeting to discuss environmental health concerns focussing on emission, e.g. noise and air quality.
4 October 2019	Historic England, Heritage Lincolnshire and Lincolnshire County Council (Historic Environment Officer)	Meeting to discuss approach to archaeological evaluation and mitigation for the project.
4 October 2020	Matt Warman MP	Meeting to discuss Phase Three of project and address concerns of some of his constituents.
10 October 2019	Boston Borough Council and Lincolnshire County Council	Discussion of the socio-economic assessment of the Facility and opportunities for liaison with local businesses.

Meetings with local organisations and businesses

7.12.3 Several meetings were also held with local organisations and businesses after Phase Three closed. The purpose of these meetings was to introduce the project, discuss aspects of the project in more detail, increase the Applicant's knowledge of local context and potential issues, and to help identify any factors and considerations which would need to be considered in developing the proposals. Details of the meetings held are shown below in **Table 7-13**.

Table 7-13 Post-Phase Three meetings with local organisations and businesses

Date	Stakeholder/Consultee	Topic of discussion
30 August 2019	Mick George (local waste management business)	Introductory meeting with business neighbouring the site to discuss any potential impacts of the project.
11 September 2019	RSPB Frampton	Meeting to discuss the RSPB's comments on the PEIR.
16 September 2019	Lincolnshire Waste Partnership	Meeting to discuss the possibility of using locally produced waste at the Facility.
10 October 2019	Boston Borough Council and Lincolnshire County Council	Discussion of the socio-economic assessment of the Facility and opportunities for liaison with local businesses.
24 October 2019	Chamber of Commerce FPN (Fresh Produce Network LINCS)	Discussion regarding the project generally, traffic and transport issues, and possible links between the project and the local produce industry.
6 November 2019	Inland Waterways Association and Boston Waterways Ltd	Introductory meeting to the project and discussion of potential impacts on navigation and recreation and tourism.

7.12.4 These post-Phase Three meetings acted as a follow up from the previous phase of consultation and provided an ongoing dialogue between the Applicant and key stakeholders.

8 Phase Four consultation

8.1 Introduction

- 8.1.1 This section sets out the Phase Four consultation that took place during the final stages of the project development.
- 8.1.2 This was a non-statutory consultation which was undertaken to update stakeholders and community consultees about proposed changes to the project, predominantly relating to the switch from a gasification technology to conventional combustion based EfW technology.
- 8.1.3 A further statutory consultation was also held at the same time. This was because the statutory section 48 notice in the Lloyd's List or appropriate fishing trade journal had not been published as part of the Phase Three consultation. As a result, a notice was published in Lloyd's List and Fishing News Weekly to rectify this omission and to seek representations from those who may not have had an opportunity to respond earlier. However, it is noted that communication has been actively maintained with Boston and Fosdyke Fishing Society throughout all phases of consultation (minutes of a meeting during the Phase Three consultation can be found at **Appendix 5.10**). In addition, a small number of section 42 statutory undertakers and prescribed bodies were identified who had not been previously consulted. Letters were, therefore, sent to these about the proposals. A list of the section 42 consultees can be found at **Appendix 6.1**.
- 8.1.4 Phase Four engagement formally commenced on 10 August 2020 and closed on 10 September 2020. Details of the activity which took place as part of this Phase are set out below.

8.2 Consultation Strategy

- 8.2.1 Phase Four of the consultation was added in the final stages of the project development because of proposed changes to the project. The changes delivered, on balance, a slight reduction in the impacts of the project and the proposed non-statutory consultation was discussed at a meeting with PINS on 28 April 2020. Following this meeting, the Applicant determined that Phase Four did not need to be statutory and there was, therefore, no need to update the SoCC. The latter point was confirmed in a meeting with BBC on 19 May 2020. The Consultation Strategy (see below and **Appendix 6.2**) explains how the Applicant sought to ensure the local community was given an opportunity to submit comments on the amended proposals.

8.2.2 A Consultation Strategy was produced which set out the proposed approach to the consultation and took into account the challenges presented by the COVID-19 restrictions and the necessary limitations on public gatherings. Instead of PIDs, the Strategy included online stakeholder briefings, two webinars and a proposed telephone surgery. The Strategy also included the provision that hard copies of relevant documents could be provided upon request. These measures followed the temporary changes to certain publicity requirements that were introduced through the Infrastructure Planning (Publication and Notification of Applications etc.) (Coronavirus) (Amendment) Regulations 2020. The Strategy was sent to LCC and BBC on 24 July 2020 for review. A copy of the Strategy can be found at **Appendix 6.2**.

8.2.3 LCC responded on 27 July 2020 stating that the key measures that needed to be addressed were alternatives for viewing hard copies of the documents at designated locations and an opportunity to speak with members of the project team where face-to-face meetings were not available. LCC confirmed that both these measures were addressed in the Strategy by making hard copies of the documents available by post and providing the opportunity to have telephone conversations with project team members.

8.2.4 LCC also stated that the Strategy did not confirm the period of consultation and suggested that an additional period of time was provided than is normally required to allow for posting documents out and people providing a response. Responses were sent to LCC on 27 July 2020 explaining that the consultation was running from 10 August 2020 until 10 September 2020 and that the maildrop had started to be delivered from 27 July 2020. As a result, there was sufficient time to provide hard copy documents upon request and allow residents to review and make comments.

8.2.5 A reminder email was sent to BBC about the Strategy on 4 August 2020 but no response was received.

8.3 Who was consulted?

8.3.1 The following groups were contacted during the Phase Four stage of consultation:

- Statutory undertakers.
- Prescribed bodies.
- Local Authorities (under section 43).

- Landowners and Persons with an interest in land (under section 44).
- The local community
 - Following the publication of the updated SoCC in May 2019, the local community was defined as local residents living within the BBC area.

8.4 Statutory and non-statutory consultation with statutory undertakers and prescribed bodies

8.4.1 Letters were sent by email on 11 August 2020 to statutory undertakers and prescribed bodies who had been written to about previous phases of the consultation. The letters provided an update about the proposals, publicised the webinars and telephone surgery, and offered to organise an online meeting to discuss the proposals if the recipients would find that helpful. The letter also included a copy of the newsletter providing an update on the Facility, in particular the changes to the proposals.

8.4.2 In addition, as mentioned above, a small number of statutory undertakers and prescribed bodies were identified who had not been written to previously about the proposals. These organisations are shown in **Table 8-1** below. Section 42 statutory consultation letters were sent by email on 10 August to the organisations that the Applicant was able to confirm an email address for. Letters were also sent by first class recorded delivery on 12 August 2020 to all the identified organisations. The letter introduced the proposals, gave details of the PEIR and the Phase Four consultation, included a link to the project website, and provided the project's contact details. Consultees were given a deadline of 10 September 2020 to respond, which was also the closing date for the community consultation. Copies of the newsletter and the section 48 advert published on 6 August 2020 were also included with the letter.

8.4.3 Examples of the letters which were sent can be found in **Appendix 6.3**.

Table 8-1 Phase Four additional prescribed bodies and statutory undertakers

Organisation	Type of consultee
Lincolnshire Community Health Services NHS Trust	Statutory undertaker
Lincolnshire Partnership NHS Foundation Trust	Statutory undertaker

Organisation	Type of consultee
Scottish & Southern Electricity Networks	Statutory undertaker
United Lincolnshire Hospitals NHS Trust	Statutory undertaker
The Joint Nature Conservation Committee	Prescribed
The Maritime and Coastguard Agency	Prescribed
Trinity House	Prescribed

8.4.4 Nine responses from statutory consultees and one response from a section 42 consultee were received by the consultation deadline of 10 September 2020. A copy of the responses received can be found in **Appendix 6.4**.

8.4.5 Consultation meetings were held prior to, during and after Phase Four with the consultees listed below in **Table 8-2**.

Table 8-2 Phase Four consultee meetings

Date	Stakeholder/Consultee	Topic of discussion
19 May 2020	Boston Borough Council and Lincolnshire County Council	Update about proposed changes to the project and information on upcoming consultation proposals.
16 June 2020	Natural England, Environment Agency, Lincolnshire Wildlife Trust and RSPB Frampton Marsh	Update on the project, in particular changes to the proposal, with time for questions, answers and discussion. Also, an overview of findings from recent overwintering bird surveys and breeding bird surveys was provided.
24 June 2020	Lincolnshire Strategic Officer Working Group	Presentation about the project and upcoming consultation proposals.
31 July 2020	Boston Borough Council and Lincolnshire County Council	Project update with the opportunity to ask questions.
2 September 2020 (via telephone)	Vattenfall Networks Limited	Project update and questions.

Date	Stakeholder/Consultee	Topic of discussion
8 September 2020	Boston Borough Council - Environment and Performance Overview and Scrutiny Committee	Meeting providing an update on the project, in particular changes to the proposal; time for questions, answers and discussion.
10 September 2020	Port of Boston	<p>Meeting providing an update on the project, in particular changes to the proposal; time for questions, answers and discussion.</p> <p>The Port of Boston also raised the need to formalise a legal agreement with the project, similar to one which had been put in place for the Boston Barrier. It was agreed that the project would follow this up.</p>
13 October 2020	RSPB	Meeting to discuss the feasibility of mitigation options for marine ornithology.
22 October 2020	RSPB and Natural England	Meeting to give a summary of the mitigation options discussed at the meeting on 13 October, and discussion on terrestrial ecology mitigation measures.
18 November 2020	Boston Borough Council and Lincolnshire County Council	Meeting to provide a discussion of the three key topic areas for Boston Borough Council: noise, air quality and transport prior to submission; and to identify the way forward for engagement post-submission
18 January 2021, followed up on 1 February 2021	The Crown Estate	A meeting was held with The Crown Estate's agent to discuss the potential implications on Crown land, specifically the requirement for dredging (noting that no structures are to be placed on Crown land). This was followed up two weeks later to allow for further feedback.
8 February 2021	Natural England, RSPB and Lincolnshire Wildlife Trust	Meeting held to present the findings of the Habitats Regulations Assessment.
9 February 2021	Marine Management Organisation	To provide a project update and to discuss the deemed Marine Licence.
26 February 2021	Natural England, RSPB and Lincolnshire Wildlife Trust	Meeting to discuss the Habitats Regulations Assessment.
22 March 2021	Port of Boston	Meeting to discuss incorporation of the Habitat Mitigation Area and discuss any navigation requirements.

- 8.4.6 Copies of the notes from these meetings, where available, can be found in **Appendix 6.5**, together with an email from Natural England which was received following the meeting on 22 October 2020.

8.5 Non-statutory consultation with Persons with an interest in land

Identifying consultees

- 8.5.1 For the Phase Four non-statutory consultation, only category 1 and 2 consultees were identified and consulted with. Further details about the reasons for not identifying any Category 3 consultees is provided above in 5.4.9 and full justification is provided in the **Statement of Reasons** (document reference 3.1).

How were they consulted?

- 8.5.2 A letter was sent on 7 August 2020 by first class recorded delivery to each of the category 1 and 2 consultees on the section 44 list. As with previous phases, the letter explained how they had been identified as consultees and gave details of the Phase Four consultation with a link to the project website and online survey which allowed them to give feedback on the proposals. A copy of the newsletter which was sent to BBC residents was also enclosed with the letter. The letter included the consultation deadline of 10 September 2020 as well as the project email and Freepost address for people to use to provide comments.
- 8.5.3 A copy of the letter sent to consultees on the section 44 list is available at **Appendix 6.6**.

Feedback received

- 8.5.4 No feedback was received from section 44 consultees as part of the Phase Four consultation.

8.6 Section 48 publicity

Introduction

- 8.6.1 This section details the activities undertaken by the Applicant in compliance with its duty to publicise the proposed Application under section 48 of the Act.
- 8.6.2 **Chapter 7** outlines the legislative context and the main activities undertaken by the Applicant in compliance with its duty regarding section 48 publicity during the Phase Three consultation. However, additional section 48 publicity was also undertaken during the Phase Four consultation because the statutory notice had not been published in the Lloyd's List or an appropriate fishing trade journal as part of the Phase Three consultation.

Content of the section 48 notice

8.6.3 The section 48 notice for the Facility was developed in accordance with the legislation outlined in **Chapter 7**. As outlined in the APFP Regulations, the notice included:

- the name and address of the Applicant;
- a statement that the Applicant intends to make an application for development consent to the SoS;
- a statement that the Application is EIA development;
- a summary of the main proposals, specifying the location of the Proposed Development;
- a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge on the project website;
- the latest date (10 September 2020) on which those documents, plans and maps will be available for inspection;
- whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;
- details of how to respond to the publicity; and
- the deadline for receipt of those responses (10 September 2020) by the Applicant, being not less than 28 days following the date when the notice is last published (6 August 2020).

8.6.4 A copy of the published section 48 notices can be found in **Appendix 6.7**.

Publications and timing

8.6.5 As required by section 48 of the 2008 Act and outlined in Regulation 4 of the APFP Regulations, the section 48 notice was published in the Lloyd's List and Fishing Weekly News.

8.6.6 **Table 8-3** shows the dates the section 48 notice was printed in each publication.

Table 8-3 Section 48 notice publications and publishing dates

Publication	Date of notice	Evidence reference
Lloyd's List	6 August 2020	Appendix 6.7
Fishing Weekly News	6 August 2020	Appendix 6.7

Compliance statement

- 8.6.7 Evidence about compliance with Regulation 13 of the EIA 2017 Regulations is provided in **Appendix 1**.
- 8.6.8 The section 48 notice was published in parallel with the non-statutory Phase Four consultation with consistent consultation opening and closing dates consistent across all publicity.
- 8.6.9 Consultees were not requested to state whether they were responding to section 48 publicity, therefore any responses to section 48 publicity would be included in the Phase Four non-section 42 consultee responses. This can be found in **Appendix 6.18**. No responses were received as a direct result of the section 48 publicity.

8.7 Non-statutory consultation with Local Authorities, community groups and community consultees

- 8.7.1 This section describes the non-statutory consultation that took place during Phase Four. The objective of Phase Four consultation was to provide an update on changes that had been made to the proposal. Changes to the project are identified in the ES (Chapter 4 Site Selection and Alternatives, document reference 6.2.4).

Meetings with local political representatives

- 8.7.2 Prior to the start of the Phase Four consultation, letters were sent on 29-30 July 2020 to all Boston Borough councillors, Lincolnshire County councillors and local parish councils. The letter provided an update about the proposals, publicised the planned webinars and telephone surgery (see below), and invited the recipients to online briefing sessions where information would be available about the proposals and the opportunity to ask questions and share feedback would be available. A copy of the newsletter which was due to be sent to BBC residents was also attached. An example of the letter is available at **Appendix 6.8**.
- 8.7.3 Meetings held with local representatives are shown in **Table 8-4** below.

Table 8-4 Phase Four meetings with local political representatives

Date	Stakeholder/Consultee	Topic of discussion
5 August 2020	Boston Borough Council: Cllr Alison Austin – St Thomas' ward Cllr Richard Austin – Wyberton ward	Meeting providing an update on the project, in particular changes to the proposal, the consultation process; time for questions, answers and discussion.

Date	Stakeholder/Consultee	Topic of discussion
	Christian Allen – Head of Environmental Operations	
7 August 2020	Wyberton Parish Council: Cllr Bryan Reeves	Meeting providing an update on the project, in particular changes to the proposal, the consultation process; time for questions, answers and discussion.

8.7.4 Copies of the notes from these meetings can be found in **Appendix 6.9**.

8.7.5 Letters were also sent via email on 11 August 2020 to all section 43 Local Authorities. The letters provided an update about the proposals, publicised the webinars and telephone surgery, and offered to organise an online meeting to discuss the proposals if the recipients would find that helpful. The letters also included a copy of the newsletter providing an update on the Facility, in particular the changes to the proposals (see below).

Meetings with key stakeholders, community groups and consultees

8.7.6 As the consultation progressed, letters were also sent to other identified key stakeholders, community groups and consultees providing an update about the proposals and offering to organise a discussion with the project team if the recipients would find that helpful. The letters included a copy of the newsletter providing an update on the Facility. The letters were sent either by email or first-class post on 21 and 24 August 2020. Meetings were held upon request with the community groups and stakeholders listed in **Table 8-5** below:

Table 8-5 Phase Four meetings with community groups and community stakeholders

Date	Stakeholder/Group	Topic of discussion
14 August 2020 (Wyberton Social Club)	Boston and Fosdyke Fishing Society	Update on the project, in particular changes to the proposal. The fishermen raised the subject of alternative site locations for their fleet.

Date	Stakeholder/Group	Topic of discussion
9 September 2020	Boston College	Update on the project, in particular changes to the proposal. Reiterated that the Applicant is keen to engage with the College regarding apprenticeships during both the construction and operation of the Facility. It was agreed that both parties would also look to establish more formal links as the project progresses through, for example, talks to students about the Facility and site visits during construction.

How the community consultation was publicised

8.7.7 The local community and other stakeholders were invited to attend the webinars and telephone surgery via a range of methods, including:

Direct mail to residents and businesses

8.7.8 A newsletter with updates on the Facility, in particular the changes to the proposal and details of the Phase Four consultation was sent to 32,210 residential and business addresses in the BBC area via Royal Mail between 27 July 2020 and 7 August 2020.

8.7.9 The newsletter was enclosed within a branded envelope to avoid being mistaken for circular mail. Additionally, a mail monitor was set up by Royal Mail to monitor the delivery of items during the delivery period.

8.7.10 A copy of the newsletter, envelope and the postcode regions it was sent to can be found in **Appendix 6.10**.

Posters

8.7.11 On 31 July 2020 a poster advertising the Phase Four webinars and telephone surgery was placed in similar accessible locations in the BBC area as used in Phases One to Three. A copy of the poster and a list of locations where it was displayed can be found in **Appendix 6.11**.

8.7.12 The poster also included a sentence in Latvian, Polish, Russian and Portuguese stating that translated materials were also available.

Newspaper adverts

8.7.13 Phase Four community consultation was publicised by placing adverts in local newspapers. Please see **Table 8-6** below for details.

Table 8-6 List of Phase Four adverts placed

Newspaper	Publication date
Spalding Guardian	20 July 2020
Boston Target	29 July 2020
Lincolnshire Free Press	4 August 2020
Boston Standard (and associated "Lincolnshire Series" publications)	5 August 2020

8.7.14 In addition, online versions of the adverts were placed on the Boston Standard and Boston Target websites.

8.7.15 Copies of the adverts that were placed in the newspapers, where available, can be found in **Appendix 6.12**.

Media release

8.7.16 A media release was supplied to various media outlets on 10 August 2020 providing an overview of the Facility, the changes to the proposal and the Applicant's intention to hold the Phase Four non-statutory community consultation. The media release also provided the dates and times of the webinars and telephone surgery, the duration of the consultation, how people could provide feedback and the deadline for providing feedback.

8.7.17 The media release was supplied to the same media contacts as at previous consultation phases.

8.7.18 Copies of the media release can be found in **Appendix 6.13**.

Media coverage

8.7.19 There were no news articles published by media outlets about the Phase Four consultation about the Facility.

Letter to people who had signed up for updates

8.7.20 As the consultation progressed, a letter was also sent to all those who had subscribed to receive either email or postal project updates to further promote the consultation. There was a delay in these being sent due to an unexpected absence due to illness within the project team. The emails were, however, sent on 21 August and the letters were sent on 24 August by first class post. A copy of the letter can be found at **Appendix 6.14**.

Social media

8.7.21 Details of the Phase Four consultation were posted on the project Twitter feed ([@bostonaefacili1](https://twitter.com/bostonaefacili1)) from 6 August 2020 and throughout the rest of the consultation period.

Webinars

8.7.22 Two webinars were arranged by the Applicant to engage with the community during Phase Four consultation. This was because it was not possible to hold face-to-face PIDs because of COVID-19 restrictions.

8.7.23 In total, the webinars were attended by three people.

8.7.24 Details of the webinars are provided in **Table 8-7** below:

Table 8-7 Phase Four webinar schedule

	Date	Time	Attendees
Webinar 1	Tuesday 11 August 2020	12.00 pm	2
Webinar 2	Thursday 20 August 2020	12.00 pm	1

8.7.25 Both webinars comprised of a presentation from the project team about the changes to the proposal, followed by a question and answer session. A copy of the presentation given at the webinar is attached at **Appendix 6.15**.

Telephone surgery

8.7.26 A telephone surgery was arranged by the Applicant where slots would be available for individuals to have a one-to-one discussion with a member of the project team where they could ask questions and provide feedback on the proposal. These were organised for 26 August 2020.

8.7.27 One telephone surgery slot was booked to take place on 26 August 2020 but this was subsequently cancelled and rescheduled for 1 September 2020 as the attendee was going on holiday. The attendee subsequently re-arranged again and a discussion was held with a member of the project team. However, it was noted that the question from the attendee was regarding potential opportunities for funding the scheme.

Feedback methods

8.7.28 Feedback could be provided to the Applicant via the following methods:

- The project website enquiry form.
- The project email address - consultation@bostonaef.co.uk.
- The freephone number 0800 0014 050 by leaving a voicemail.
- Freepost letter to Boston Alternative Energy Facility, FREEPOST RTLY-RLGH-GKSE, 25 Priestgate, Peterborough, PE1 1J.
- An online feedback form which could be accessed via the –following link - <https://www.surveymonkey.co.uk/r/BostonAEF> - and via the project website.
- Speaking to a member of the project team at one of the webinars or telephone surgeries.

8.7.29 The methods of providing feedback were publicised through a media release, direct mail, posters, newspaper notices and the project website. They were also promoted via the various letters to stakeholders and consultees which were sent out.

8.7.30 A copy of the online feedback form can be found in **Appendix 6.16**.

8.8 Feedback received

- 8.8.1 A total of five completed online surveys were received. A summary of the feedback received via the online feedback form can be found in **Appendix 6.17**. This document was originally published on the project website on 25 November 2020. In February 2021, a change was made to the Feedback Summary based on ongoing discussions following one of the Phase Four webinars. The footnote on page 3 of the document was updated and the document re-published on the website on 17 February 2021. An update was issued to stakeholders who had subscribed for project updates in March 2021 to advise them of the publication of the Feedback Summary.
- 8.8.2 Copies of the completed online surveys, letters, emails and recorded comments can be provided upon request. Please note, personal information will be redacted from these documents in line with GDPR.
- 8.8.3 The issues raised by section 47 consultees have been grouped and are summarised in **Appendix 6.18**.
- 8.8.4 The issues raised by statutory consultees and section 42 consultees as part of the Phase Four consultation and the Applicant's response and regard to these are detailed in **Appendix 6.19**. In addition, a letter received prior to the start of the Phase Four consultation from RSPB is at **Appendix 6.20**. The issues raised in the letter were discussed at subsequent meetings with RSPB as outlined above. Post-Phase Four correspondence with Natural England, RSPB and Lincolnshire Wildlife Trust is included at **Appendix 6.21**, together with a letter received from Natural England on 12 March 2021 relating to supplementary Habitats Regulations Assessment data and the Applicant's response of 17 March 2021.

8.9 Summary of section 47 feedback received at Phase Four

- 8.9.1 **Table 8-8** summarises the main topics raised during the Phase Four non-statutory community consultation and how many times they were raised. The issues raised by section 47 consultees are summarised in more detail in **Appendix 6.18**, together with a response to the issues raised and any changes that were made to the proposals as a result.

Table 8-8 Summary of section 47 feedback received at Phase Four

Topic	Count
Safety of thermal treatment process compared to gasification / air pollution	8
Rationale for the changes to the proposal	6
Positive comment about proposals	9

Topic	Count
Revised proposal not as environmentally-friendly as gasification	3
Lack of remodelling information / PEIR not updated/ awaiting updated information	3
Potential reduction in noise impacts / noise impact	3
Odour	2
Welcome footpath / footbridge improvement	2

8.9.2 Below is a summary of the issues raised for each of the main topics.

Safety of thermal treatment process compared to gasification / air pollution

8.9.3 Several comments enquired about the safety of the proposed “burning process” in comparison to gasification and the gases that would be emitted into the atmosphere, in particular whether these would be “toxic gases”. There was also an enquiry about whether the Facility would meet new air quality emissions standards introduced by the EA in 2019 and the impact of increased carbon capture on air quality.

Rationale for the changes to the proposal

8.9.4 Several comments were received enquiring about the reasons for the switch from a gasification technology to conventional combustion based EfW technology.

Positive comment about proposals

8.9.5 One consultee commented that they believe the proposed Facility would be “beneficial to Boston and the environment if the consultation is listened to”, while another commented that they thought the proposal was a “very good idea”. Other positive comments were that the proposal was “fantastic for the town and more importantly the environment” and “I sincerely hope you can get approved and operational asap. Badly needed”.

Revised proposal not as environmentally-friendly as gasification

8.9.6 One consultee commented that the proposal seems to be “an old fashioned and dirty technology” as opposed to the “green and space age technology” of gasification. Another commented that the proposal seemed to “have gone backwards with technology from so called clean green gasification to dirty old incineration.”

Lack of remodelling information / PEIR not updated

8.9.7 One consultee commented that they felt an updated PEIR report was required as a result of the change in the proposed technology, while another said that they were “awaiting the remodelling figures” to see what effects they would have on local residents.

Noise impacts

8.9.8 Comments included concerns about noise from the proposed Facility and an enquiry about the remodelling figures to support the points in the newsletter about how changes to the project would reduce noise impact from the site.

Odour

8.9.9 Comments included a query about how the “fully enclosed bunker” will remain odour-free when it is accessed for maintenance plus concerns about odour from the existing, smaller facility.

Welcome footpath / footbridge improvement

8.9.10 One consultee commented that they were “pleased at improvement to the footpath”, while another said that the proposed footbridge was “welcome” and enquired about ensuring that it met safety regulations.

9 Conclusion

- 9.1.1 This Consultation Report demonstrates that the Applicant has complied with the relevant sections of the Act relating to pre-submission consultation about the Facility and has taken account of government guidance document “Planning Act 2008: Guidance on the Pre-Application Process (March 2015), PINS advice notes and other best practice.
- 9.1.2 The following provisions of the Act are relevant to the statutory pre-application consultation on the Facility:
- Section 42: duty to consult certain categories of person;
 - Section 43: local authorities for purpose of s42(1)(b);
 - Section 44: categories for the purposes of s42(1)(d);
 - Section 47: duty to consult the local community (people living in the vicinity of the land);
 - Section 48: duty to publicise the proposed application;
 - Section 49: duty to take account of responses to consultation and publicity; and
 - Section 50: guidance about pre-application procedure.
- 9.1.3 A SoCC was prepared in accordance with section 47 and published for consultation on 12 December 2018.
- 9.1.4 A phased approach was taken to consultation based on best practice guidance. The consultation phases were as follows:
- Phase One, 14 September 2018 to 19 October 2018 – non-statutory consultation. This phase introduced the project and sought feedback on the overall plans.
 - Phase Two, 25 January 2019 to 25 March 2019 - statutory consultation with section 47 consultees and non-statutory consultation with section 42 and section 44 consultees. This phase provided an update on the project and the initial findings of the PEIR.
 - Phase Three, 25 June 2019 to 6 August 2019 - statutory section 42, 44 and 47 consultation, as well as section 48 publication of the application in accordance with paragraph 58 of the government guidance.

- Phase Four, 10 August 2020 to 10 September 2020 – non-statutory consultation with the local community and landowner consultees, as well as statutory consultees who had been consulted before about changes to the proposed Facility. The consultation also included section 48 publication of the application in Lloyd’s List and Fishing News Weekly in accordance with paragraph 58 of the government guidance, and statutory consultation with section 42 consultees who had not been consulted previously. As explained in 8.2.1, the changes made to the project delivered, on balance, a slight reduction in the impacts of the project and, following a meeting with PINS on 28 April 2020, the Applicant decided that this Phase did not need to be statutory.
- 9.1.5 All feedback has been documented, given equal weight, considered carefully and, where relevant, used to shape the proposals for the Facility. Details of how the Applicant has considered and had regard to feedback received are clearly explained in the Consultation Report (see **Appendices 3.16, 4.17, 5.25-5.26 and 6.18-6.19**).
- 9.1.6 The Applicant will continue to engage with relevant stakeholders with a view to progressing Statements of Common Ground, where appropriate, which will enable all parties to identify and focus on any specific issues that may need to be addressed during the examination.
- 9.1.7 The Applicant would like to thank all the organisations, local residents, community groups, and local political representatives who have given their time and responded to the consultation process. Looking ahead, and subject to the DCO decision, the Applicant looks forward to ongoing relationship building with stakeholders and the local community.