

Hornsea Project Four: Consultation Report

PINS Document Reference: B1.1.2
APFP Regulation s37(3)&(7) PA 2008

Volume B1, Annex 1.2: Consultation Compliance Checklist

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Table of Contents

Introduction 3
Consultation Compliance Checklist 4

1. Introduction

1.1 The following checklist demonstrates the consultation obligations imposed by sections 42, 45, 46, 47, 48 of the 2008 Act, as well as the statutory guidance about the pre-application procedure published under section 50 of the Act. It includes an outline of how the Applicant has met each of these requirements.

1.2 **Table 1** also demonstrates how the Applicant has complied with the following regulations and guidance:

- Infrastructure Planning: (Application: Prescribed Form and Procedure) Regulation 2009;
- Infrastructure Planning (Environmental Impact Assessment) Regulations 2017;
- Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015).

Table 1: Consultation Compliance Checklist

Ref	Requirement	Compliance
The Planning Act 2008		
S42	(a) such persons as may be prescribed,	<p>The Applicant consulted all persons prescribed by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').</p> <p>In addition to the prescribed consultees listed in Schedule 1, the Applicant added additional non-prescribed consultees in addition to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations').</p> <p>The complete list of consultees consulted under Section 42 is shown in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p>
	(aa) the Marine Management Organisation	The Applicant consulted the MMO. See Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act .
	(b) each local authority that is within section 43	<p>The Applicant consulted each local authority that is within s. 43. For the sake of clarity, these are listed below:</p> <p>'B' Host Authorities:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council; <p>'A' Neighbouring Authorities:</p> <ul style="list-style-type: none"> • Hull City Council; • North East Lincolnshire Council; • North Lincolnshire Council; • Doncaster Metropolitan Borough District Council; • Selby Borough District Council; • York City Council; • Ryedale District Council; • Scarborough Borough Council; • North Yorkshire County Council. <p>See Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p>
	(c) the Greater London Authority if the land is in Greater London, and	Not applicable.
	(d) each person who is within one or more of the categories set out in section 44	The Applicant consulted each person who is within one or more of the categories set out in s. 44. See Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act and Volume E1, Chapter 3: Book of Reference .
S45	Timetable for consultation under section 42	See Chapter 8 of the Consultation Report

Ref	Requirement	Compliance
	<p>(1) The applicant must, when consulting a person under section 42, notify the person of the deadline for the receipt by the applicant of the person's response to the consultation.</p>	<p>The Applicant notified all those consulted under s. 42 of the deadline in writing by post. See Volume B1, Annex 1.7: Notification to Section 42 Consultees of Section 42 Consultation (13 August – 23 September 2019).</p>
	<p>(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.</p>	<p>The Applicant undertook consultation on the Preliminary Environmental Information Report (PEIR) between 13 August and 23 September 2019. All s. 42 consultees were formally notified by post on August 12 2019 of the commencement of the consultation to begin on 13 August 2019. The deadline for responding to the s. 42 consultation was 23 September 2019 (42 days in total from 13 August 2019).</p> <p>The consultation ran in parallel to the phase two consultation under s.47 of the 2008 Act. See Annex Volume B1, Annex 1.7: Notification to Section 42 Consultees of Section 42 Consultation (13 August – 23 September 2019).</p> <p>Additional round of targeted consultation [1]: The Applicant undertook a subsequent round of targeted consultation under section 42(1) of the Act, covering an alternative Export Cable Corridor (ECC) route option, a number of minor onshore route amendments and operational access rights (see Volume B1, Annex 1.26: Community Newsletters).</p> <p>The Applicant notified the s.42 consultees in writing of the consultation and the deadline for responses on 13 February 2020. The consultation commenced on 17 February 2020 and closed on 18 March 2020 (30 days in total). The list of consultees consulted during the targeted consultation is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>The Applicant identified two new land interests as part of the ongoing Targeted Consultation. The Applicant notified these additional consultees in writing of the consultation on 13 March 2020 providing a deadline for responses on 13 March 2020 (30 days in total).</p> <p>Additional round of targeted consultation [2]: The Applicant undertook another subsequent round of targeted consultation under section 42(1) of the Act, covering proposed amendments to the Hornsea Four OnSS and EBI access requirements (see Volume B1, Annex 1.26: Community Newsletters).</p>

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		<p>The Applicant notified the s.42 consultees in writing of the consultation and the deadline for responses on 04 August 2020. The consultation commenced on 04 August 2020 and closed on 08 September 2020 (36 days in total). The list of consultees consulted during the targeted consultation is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>Additional round of targeted consultation [3]: The Applicant undertook another subsequent round of targeted consultation under section 42(1) of the Act, covering the proposed relation of an existing construction access location to collaborate with the A164 Jock's Lodge Highway Improvement Scheme (see Volume B1, Annex 1.26: Community Newsletters).</p> <p>The Applicant notified the s.42 consultees in writing of the consultation and the deadline for responses on 30 June 2021. The consultation commenced on 30 June 2021 and closed on 30 July 2021 (31 days in total). The list of consultees consulted during the targeted consultation is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p>
	<p>(3) In subsection (2) "the consultation documents" means the documents supplied to the person by the applicant for the purpose of consulting the person.</p>	<p>The consultation documents provided to all s. 42 consultees (further referred to as the 's.42 Consultation Documents') comprised of:</p> <ul style="list-style-type: none"> • A copy of the s.42 covering letter (see Annex Volume B1, Annex 1.7: Notification to Section 42 Consultees of Section 42 Consultation (13 August – 23 September 2019)); • A copy of the Onshore and Offshore Statutory Consultation Plans; • A copy of notice publicised in accordance with s.48 of the Act (see Volume B1, Annex 1.19: Section 48 Notice). This notice includes details of public consultation events and locations where the consultation material can be inspected free of charge; and, • A web link to all consultation documentation regarding the Hornsea Four formal consultation, which comprised of: <ul style="list-style-type: none"> - The full PEIR including a Non-Technical Summary (PEIR NTS), - Introductory Chapters (Volume A1), - Offshore chapters (Volume A2), - Onshore chapters (Volume A3),

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		<ul style="list-style-type: none"> - Introductory Chapter Annexes (Volume A4), - Offshore chapter annexes (Volume A5) and onshore chapter annexes (Volume A6), - A Draft DCO (Volume C1), - Statutory consultation plans and Works Plans (Volume D1) and; - Outline protocols, plans and strategies (Volume F2). <p>At targeted consultation [1], the consultation documents comprised of:</p> <ul style="list-style-type: none"> • A cover letter (see Volume B1, Annex 1.27: Targeted Statutory Consultation under Section 42 of the Planning Act 2008). • A hard copy of the Targeted Statutory Consultation Plans. • A hard copy of the 'S42 Consultation Supporting Information' and accompanying Annex. <p>At targeted consultation [2], the consultation documents comprised of:</p> <ul style="list-style-type: none"> • S42 targeted statutory consultation letter notification (reissued) (see Volume B1, Annex 1.27: Targeted Statutory Consultation under Section 42 of the Planning Act 2008); • S42 overview of access changes map; • Hard copy of notice publicised in accordance with Section 48 of the 2008 Act; • S42 unregistered land notice; and • Supporting information to S42 Consultation Notification. <p>At targeted consultation [2], the consultation documents comprised of:</p> <ul style="list-style-type: none"> • S42 additional targeted statutory consultation letter notification (see Volume B1, Annex 1.27: Targeted Statutory Consultation under Section 42 of the Planning Act 2008); and • S42 overview of access changes map;
S46	Duty to notify Secretary of State of proposed application	See Chapter 8 of the Consultation Report

Ref	Requirement	Compliance
	<p>(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.</p> <p>(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.</p>	<p>The Applicant notified the Secretary of State in writing under s. 46 of the 2008 Act on 09 August 2019 that it was intending to commence consultation under s.42 of the 2008 Act on the PEIR commencing on 13 August 2019 and closing on 23 September 2019.</p> <p>Consultation documents included in this package were:</p> <ul style="list-style-type: none"> • A covering letter (see Volume B1, Annex 1.5: Section 46 Notification to Planning Inspectorate). • An example copy of the s.42 letter (see Annex Volume B1, Annex 1.7: Notification to Section 42 Consultees of Section 42 Consultation (13 August – 23 September 2019)). • A copy of the Onshore and Offshore Statutory Consultation Plans; • A USB device containing the full PEIR including a PEIR NTS; • A hard copy of the notice publicised in accordance with s.48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge (see Volume B1, Annex 1.19: Section 48 Notice). • A Copy of Hornsea Four community consultation leaflet (see Volume B1, Annex 1.22: Phase Two Section 47 Community Consultation Leaflet (August 2019)). <p>See Volume B1, Annex 1.5: Section 46 Notification to Planning Inspectorate.</p>
S47	<p>Duty to consult the local community</p> <p>(1) The applicant must prepare a statement setting out how the applicant proposes to consult, about the proposed application, people living in the vicinity of the land.</p> <p>(2) Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement.</p>	<p>See Chapter 6 of the Consultation Report</p> <p>The Applicant prepared a Statement of Community Consultation (SoCC). See Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation.</p> <p>Before preparing the statement, the Applicant consulted each local authority that is within s. 43(1) on the content of the SoCC, being:</p> <p>‘B’ Host Authorities:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council; <p>‘A’ Neighbouring Authorities:</p> <ul style="list-style-type: none"> • Hull City Council; • North East Lincolnshire Council; • North Lincolnshire Council; • Doncaster Metropolitan Borough District Council; • Selby Borough District Council;

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		<ul style="list-style-type: none"> • York City Council; • Ryedale District Council; • Scarborough Borough Council; • North Yorkshire County Council. <p>Volume B1, Annex 1.9: Section 47, Duty to Consult Local Community – Draft Statement of Community Consultation includes a copy of the consultation materials setting out details of the consultation on the draft SoCC.</p>										
	(3) The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.	The Applicant submitted the draft SoCC to the local authorities for statutory consultation on 26 June 2018 by email accompanied by a cover letter. A hard copy version of the draft SoCC was also sent via post on 26 June 2018 (see Volume B1, Annex 1.9: Section 47 Duty to Consult Local Community – Draft Statement of Community Consultation). Responses were requested by 25 July 2018 (30 days in total), compliant with the statutory minimum of 28 days under s. 47(3) of the 2008 Act.										
	(4) In subsection (3) "the consultation documents" means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).	The consultation documents supplied by the Applicant included a covering letter and email, and the draft SoCC in both electronic and hard copy format. See Volume B1, Annex 1.9: Section 47, Duty to Consult Local Community – Draft Statement of Community Consultation .										
	(5) In preparing the statement, the applicant must have regard to any response to consultation under subsection (2) that is received by the applicant before the deadline imposed by subsection (3).	The Applicant had regard to all relevant comments received on the draft SoCC. Details of the responses and how the Applicant had regard to them are provided in Chapter 6 of the Consultation Report.										
	(6) Once the applicant has prepared the statement, the applicant must — make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land, (a) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected, and (b) publish the statement in such manner as may be prescribed.	<p>The Applicant made the SoCC available for inspection by the public on the Hornsea Four project website (https://hornseaprojects.co.uk/Hornsea-Project-Four) from 06 September 2018 and in hard copy format at various Community Access Points (CAP sites) as listed in Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation.</p> <p>The Applicant published the SoCC in full in a number of local newspapers. These were:</p> <table border="1" data-bbox="791 1525 1299 1715"> <thead> <tr> <th>Publication</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Bridlington Free Press</td> <td>06 September 2018</td> </tr> <tr> <td>Pocklington Post</td> <td>06 September 2018</td> </tr> <tr> <td>Goole Times</td> <td>06 September 2018</td> </tr> <tr> <td>Yorkshire Post</td> <td>07 September 2018</td> </tr> </tbody> </table>	Publication	Date	Bridlington Free Press	06 September 2018	Pocklington Post	06 September 2018	Goole Times	06 September 2018	Yorkshire Post	07 September 2018
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		Scanned copies of the SoCC as published in the local newspapers are shown in Volume B1, Annex 1.11: Section 47 Duty to Consult Local Community – Statement of Community Consultation Advertisements .																		
	(7) The applicant must carry out consultation in accordance with the proposals set out in the statement.	<p>The Applicant undertook consultation under s. 47 of the 2008 Act in accordance with the SoCC. See Chapter 6 of the Consultation Report for a description of how the Applicant complied with the obligations set out in the SoCC.</p> <p>This included holding phase one non-statutory consultation between 10 October and 21 November 2018 and a phase two statutory Section 47 consultation, which commenced on 13 August 2019 (in parallel to the start of Section 42 consultation) and closed on 23 September 2019.</p>																		
	Duty to publicise	See Chapter 6 of the Consultation Report																		
S48	(1) The applicant must publicise the proposed application in the prescribed manner.	<p>The Applicant prepared and publicised the application in the prescribed manner set out in regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 by publishing a s. 48 notice (see Volume B1, Annex 1.19: Section 48 Notice):</p> <table border="1"> <thead> <tr> <th>Publication</th> <th>1st Insertion</th> <th>2nd Insertion</th> </tr> </thead> <tbody> <tr> <td>Yorkshire Post</td> <td>1 August 2019</td> <td>8 August 2019</td> </tr> <tr> <td>Fishing News</td> <td>8 August 2019</td> <td>n/a</td> </tr> <tr> <td>London Gazette</td> <td>13 August 2019</td> <td>n/a</td> </tr> <tr> <td>Lloyd's List</td> <td>13 August 2019</td> <td>n/a</td> </tr> <tr> <td>The Guardian</td> <td>15 August 2019</td> <td>n/a</td> </tr> </tbody> </table> <p>Consultation under s. 48 of the 2008 Act ran in parallel with s.42 statutory consultation and phase two of the s.47 consultation from 16 August – 23 September 2019.</p> <p>Dated newspaper copies are provided in Volume B1, Annex 1.20: Section 48 Notice Advertisements.</p>	Publication	1 st Insertion	2 nd Insertion	Yorkshire Post	1 August 2019	8 August 2019	Fishing News	8 August 2019	n/a	London Gazette	13 August 2019	n/a	Lloyd's List	13 August 2019	n/a	The Guardian	15 August 2019	n/a
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	(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the applicant of responses to the publicity.	The s.48 notice included a deadline of 23 September 2019 for receipt of responses to the publicity. The final notice was published on 15 August 2019, providing a total of 40 days for responses, therefore exceeding the 28 days statutory minimum response time.																		
S49	Duty to take account of responses to consultation and publicity	See Chapter 6 of the Consultation Report																		

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	<p>(1) Subsection (2) applies where the applicant —</p> <ul style="list-style-type: none"> (a) has complied with sections 42, 47 and 48, and (b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application). <p>(2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.</p> <p>(3) In subsection (2) “relevant response” means—</p> <ul style="list-style-type: none"> (a) 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, (b) 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 (c) 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. 	<p>The Applicant has had regard to all relevant responses made pursuant to s.42, s.47 and s.48 in accordance with s.49.</p> <p>A summary of relevant responses received and how the Applicant has considered these is provided in the Consultation Report, specifically in Chapters 10 and 11, and in Volume B1, Annex 1.3: Applicant Regard to Section 47 Consultation Responses and Volume B1, Annex 1.4: Applicant Regard to Section 42 Consultation Responses.</p>
S50	<p>Guidance about pre-application procedure</p>	<p>See Chapter 4 of the Consultation Report</p>
	<p>(1) Guidance may be issued about how to comply with the requirements of this Chapter.</p>	<p>The Applicant has had regard to the Department for Communities and Local Government (DCLG, 2015), Planning Act 2008: guidance on the pre-application process. The Applicant has also had regard to Advice Notes prepared by the Planning Inspectorate.</p>
	<p>(2) Guidance under this section may be issued by the Planning Inspectorate or the Secretary of State.</p>	
<p>(3) The applicant must have regard to any guidance under this section.</p>		
<p>The Infrastructure Planning: (Application: Prescribed Form and Procedure) Regulation 2009</p>		
Reg 3	<p>The persons prescribed for the purposes of section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in relation to each person in column 2 of that table.</p>	<p>The Applicant consulted all persons prescribed in column 1 of the table in Schedule 1 who were deemed relevant to this application by the descriptions set out in column 2 of that table. A full list is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p>

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		<p>In addition, the Applicant scoped in a number of non-prescribed consultees. A full list of the prescribed and non-prescribed consultees is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p>																		
Reg 4	<p>Publicising a proposed application</p> <p>(2) The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application –</p> <p>(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;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development –</p> <p>(i) once in Lloyd’s List; and</p> <p>(ii) once in an appropriate fishing trade journal.</p>	<p>See Chapter 8 of the Consultation Report</p> <p>The Applicant published a notice which included all the matters set out in paragraph (3). Copies of the notice are provided in Volume B1, Annex 1.20: Section 48 Notice Advertisements.</p> <p>The s. 48 notice was published as follows:</p> <table border="1" data-bbox="794 719 1347 1048"> <thead> <tr> <th>Publication</th> <th>1st Insertion</th> <th>2nd Insertion</th> </tr> </thead> <tbody> <tr> <td>Yorkshire Post</td> <td>1 August 2019</td> <td>8 August 2019</td> </tr> <tr> <td>Fishing News</td> <td>8 August 2019</td> <td>n/a</td> </tr> <tr> <td>London Gazette</td> <td>13 August 2019</td> <td>n/a</td> </tr> <tr> <td>Lloyd’s List</td> <td>13 August 2019</td> <td>n/a</td> </tr> <tr> <td>The Guardian</td> <td>15 August 2019</td> <td>n/a</td> </tr> </tbody> </table>	Publication	1 st Insertion	2 nd Insertion	Yorkshire Post	1 August 2019	8 August 2019	Fishing News	8 August 2019	n/a	London Gazette	13 August 2019	n/a	Lloyd’s List	13 August 2019	n/a	The Guardian	15 August 2019	n/a
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<p>(2) The matters which the notice must include are:</p> <p>(a) the name and address of the applicant;</p> <p>(b) a statement that the applicant intends to make an application for development consent to the Commission;</p> <p>(c) a statement as to whether the application is EIA development;</p> <p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p> <p>(e) 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;</p> <p>(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph);</p>	<p>The notice included all matters required by this regulation. References below refer to the specific paragraph of the notice where the information was provided.</p> <p>(a) paragraph 1;</p> <p>(b) paragraph 1;</p> <p>(c) paragraph 4;</p> <p>(d) paragraph 5;</p> <p>(e) paragraphs 7 and 8;</p> <p>(f) paragraphs 7 and 8;</p> <p>(g) paragraph 9;</p> <p>(h) paragraph 10; and</p> <p>(i) paragraph 11.</p>																			

Ref	Requirement	Compliance
	<p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p> <p>(h) details of how to respond to the publicity; and</p> <p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the dates when the notice is last published.</p>	

Ref	Requirement	Compliance
Infrastructure Planning (Environmental Impact Assessment) Regulations 2017		
	Procedure for establishing whether environmental impact assessment is required	See Chapter 5 of the Consultation Report
Reg 6	<p>(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either –</p> <p>(a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or</p> <p>(b) notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development.</p>	<p>The Applicant submitted a scoping report to the Planning Inspectorate on 15 October 2018, confirming that it intended to provide an Environmental Statement in respect of Hornsea Four pursuant to Regulation 8(1)(b) and requested a scoping opinion, pursuant to Regulation 10(1).</p>
	<p>(3) A request or notification under paragraph (1) must be accompanied by –</p> <p>(a) a plan sufficient to identify the land;</p> <p>(b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and</p> <p>(c) such other information or representations as the person making the request may wish to provide or make.</p>	<p>A plan sufficient to identify the land was provided as an appendix to the Regulation 6 letter. A Scoping Report was produced and issued to Secretary of State, which provided a description of the nature and purpose of Hornsea Four and an explanation of the possible effects of Hornsea Four identified at that stage. It was noted that it was not possible, at that stage to provide full details of permanent and temporary land take required for Hornsea Four and that the area presented in the Scoping Report would be refined as Hornsea Four progressed.</p>
Reg 10	Consultation statement requirements	See Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation
	<p>The consultation statement prepared under section 47 (duty to consult local community) must set out –</p> <p>(a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p>	<p>The SoCC states that Hornsea Four is an EIA development in Section 8 (Environmental Information) and sets out how the Applicant intends to publicise and consult on the PEIR in Section 5 (Who will we consult?) and Section 9 (Public Consultation). See Volume B1, Annex 1.10: Section 47 Duty to Consult Local</p>

Ref	Requirement	Compliance
	(b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.	Community – Final Statement of Community Consultation.
Reg 11	Pre-application publicity under section 48 (duty to publicise)	See Chapter 9 of the Consultation Report
	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).	The Applicant provided a copy of the notice publicised in accordance with s. 48 of the 2008 Act under phase two (see Annex Volume B1, Annex 1.7: Notification to Section 42 Consultees of Section 42 Consultation (13 August – 23 September 2019)) to all s.42 consultees.
Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015)		
17	“When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for the purposes of consultation.”	The Applicant strived to ensure that the status on any documents prepared to inform the consultation was clear throughout. The PEIR was clearly marked “preliminary” and this was reiterated in public documents. There were no comments from consultees that demonstrated confusion on this point.
18	“Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties...”	The Applicant engaged with local authorities and statutory consultees early in the development process for Hornsea Four through consultation on the draft SoCC (see Chapter 6 of the Consultation Report) and other statutory bodies through the Evidence Plan process and a series of Technical Panel meetings. (see Volume B1, Annex 1.1: Evidence Plan). The Applicant commenced s.47 consultation following the publication of the SoCC, with the first phase of consultation taking place at an early stage (10 October – 21 November 2018) in order to enable an iterative evolution of the Development’s design in response to consultation.
20	“Experience suggests that, to be of most value, consultation should be: <ul style="list-style-type: none"> • Based on accurate information that gives consultees a clear view of what is proposed including any options; • Shared at an early enough stage so that the proposal can still be influence, while being sufficiently developed to provide some detail on what is being proposed; and 	The Applicant undertook two rounds of s.47 community consultation as follows: <p>Phase one s.47 consultation: 10 October 2018 – 21 November 2018 (42 days)</p> <p>Phase two s.47 consultation: 16 August 2019 – 23 September 2019 (40 days)</p> <p>This was to ensure that consultees had adequate opportunity to influence the proposals at an early enough stage that the proposals were still fluid, whilst</p>

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	<ul style="list-style-type: none"> Engaging and accessible in style, encouraging consultees to react and offer their views." 	<p>ensuring that sufficient information was provided to inform their response.</p> <p>Information on the application and consultation was provided in different formats to make this more engaging and encourage participation from a range of different audiences. This included:</p> <ul style="list-style-type: none"> Presentations and reports for consultees with technical backgrounds Preparing a non-technical summary of the Preliminary Environmental Information Report (PEIR NTS) Exhibition banners and foam board maps of the project infrastructure at events A Consultation summary report following each round of events and bi-annual newsletters Fact sheets on EIA topic areas Bespoke website with project FAQs updated quarterly, interactive map and website documents library with all consultation materials uploaded Digital engagement platform with design feedback module Establishing an onshore substation consultation group (OSCG), onshore export cable corridor working group and intertidal working group with presentations to parish councils and local interest groups (see Chapter 5 of this Consultation Report).

Ref	Requirement	Compliance
23	<p>In brief, during the pre- application stage applicants are required to:</p> <ul style="list-style-type: none"> • notify the Secretary of State of the proposed application; • Identify whether the project requires an environmental impact assessment; where it does, confirm that they will be submitting an environmental statement along with the application, or that they will be seeking a screening opinion ahead of submitting the application; • produce a Statement of Community Consultation, in consultation with the relevant local authority or authorities, which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that Statement; • make the Statement of Community Consultation available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed, as required by section 47 of the Planning Act and Regulations; • identify and consult statutory consultees as required by section 42 of the Planning Act and Regulations; • publicise the proposed application in accordance with Regulations; • set a deadline for consultation responses of not less than 28 days from the day after receipt/last publication; • have regard to relevant responses to publicity and consultation; and • prepare a consultation report and submit it to the Secretary of State. 	<p>As set out in this document as well as detailed in the Consultation Report, the Applicant has complied with all requirements listed under point 23 of the DCLG Guidance (2015).</p> <p>Examples:</p> <p>see table Annex 34 of the Consultation Report for confirmation that the Applicant notified the Secretary of State that it is proposed to provide an Environmental Statement pursuant to Regulation 8 of the 2017 EIA Regulations.</p> <p>See Chapter 6 of the Consultation Report for confirmation that the Applicant produced a Statement of Community Consultation, in consultation with the relevant local authority or authorities, which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that Statement.</p>
24	<p>The requirements of the Planning Act and associated Regulations form the framework for the pre-application consultation process. The Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size-fits-all' approach is not, therefore, appropriate. Instead, applicants, who are best placed to understand the detail of their specific project,</p>	<p>The Applicant consulted on a draft SoCC that set out an approach to consultation for the scale and type of development that the Hornsea Four offshore wind farm will be. All comments received from the local authorities were incorporated into the final SoCC as detailed in Chapter 6 of the Consultation Report.</p> <p>The Applicant and East Riding of Yorkshire Council (the "B" Authority) have worked together closely on the plans for consulting the local community. This included</p>

Ref	Requirement	Compliance
	<p>and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and where its impacts will be experienced.</p>	<p>agreement on Local Information Event Venues (LIEs) and the formation of parish council working groups, resulting in a successful pre-application consultation process, as demonstrated by the local information events (LIEs) which over 339 people attended.</p>
25	<p>“Consultation should be thorough, effective and proportionate. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industries protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible.”</p>	<p>The Applicant carried out the pre-application consultation in accordance with the SoCC, as agreed with the local authorities.</p> <p>Owing to the scale of the Development and volume of technical information in consultation documents including the PEIR, the Applicant allowed a 40-day consultation period for the s.47 and s.42 consultation. The Applicant facilitated an ongoing s.47 consultation to enable a continuous dialogue with the community and sensitive stakeholders, such as residents living close to the proposed onshore substation, on the Development plans and mitigation proposals.</p> <p>The Applicant presented to several interest groups as listed in Chapter 5 of the Consultation Report, in order to share project information and have specialists respond to feedback and enquiries. This included facilitating a series of working group meetings as detailed in Chapter 5 of this Consultation Report.</p> <p>At the phase one s.47 community consultation and feedback forms, respondents were asked if they would ‘like to receive regular quarterly newsletters to be kept up to date with the progress of Hornsea Four. The following options were provided:</p> <ul style="list-style-type: none"> • ‘Yes, via e-mail’ • ‘Yes, via post’ • ‘No, thanks’

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26	<p>“The Planning Act requires certain bodies and groups of people to be consulted at the pre-application stage but allows for flexibility in the precise form that consultation may take depending on local circumstances and the needs of the project itself. [...] In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project.”</p>	<p>In addition to statutory consultees identified under s.42 of the 2008 Act, the Applicant sought to identify and consult with other bodies and individuals who may have an interest in the application. A full list of all non-prescribed consultees identified by applicant and consulted with under s.42 of the 2008 Act is provided in Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>The Applicant also strived to raise awareness of the application more widely. This included making consultation documents available for inspection across the wider Consultation Zone, as defined in Chapter 6 of the Consultation Report.</p> <p>The Applicant also made documents available via CAP Sites, local information points, press releases, advertisement in regional publications, targeted social media campaigns and via the Hornsea Four online engagement tool (see Chapter 7 of the Consultation Report).</p>
27	<p>“Applicants are therefore encouraged to consult widely on project proposals.”</p>	
28	<p>From time to time a body may cease to exist but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original body.</p> <p>Where there is no obvious successor, applicants should seek the advice of the inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why.</p>	<p>The Applicant reviewed the consultee list on a regular basis to ensure that the contact details were up to date and that any successor body was consulted with. The Applicant identified a number of incidences where changes were required to the prescribed consultee list. See Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act. The Applicant also had regard to any changes in contact details that it was made aware of via the information lines.</p>
29	<p>“Applicants will often need detailed technical input from expert bodies to assist with identifying and mitigating the social, environmental, design and economic impacts of projects, and other important matters. Technical expert input will often be needed in advance of formal compliance with the pre-application requirements. [...] Applicants are</p>	<p>The Applicant has engaged with both statutory and non-statutory consultees throughout the project’s development. These meetings have been facilitated through the Evidence Plan Process or topic specific meetings for example with stakeholders in relation to Shipping, Oil & Gas and the Developable Area Approach (see Volume B1, Annex 1.1: Evidence Plan).</p>

Ref	Requirement	Compliance
	<p>therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.”</p>	<p>During such meetings, the Applicant sought expertise and took advice onboard as the project evolved. The Applicant outlined the consenting programme including providing advance notice of the PEIR delivery and statutory consultation period. The Evidence Plan Terms of Reference set out a clear timetable which outlined when the proposed meetings would be held, and the number of meetings planned from that moment until DCO application. All involved parties had the opportunity to review and comment on these terms before reaching agreement.</p> <p>An example of the effectiveness of this process was seen through the Onshore Human Environment EWG. At the first meeting of this group, the attendees highlighted the importance of seeking agreement on a number of key issues, specifically related to the onshore substation. This EWG was especially effective for:</p> <ul style="list-style-type: none"> • Seeking agreement on the data and information to be included in the EIA; • Aligning key stakeholders and achieving agreement with Hornsea Four’s approach to proportionate EIA; • Schemes of relevance for future infrastructure considerations had been considered; <p>The EWG was successful in agreeing an Access Strategy for the onshore substation, which included agreement on the traffic and transport study area, traffic derivation and assessment methodology. Further details in relation to this EWG can be found in the Evidence Plan (see Volume B1, Annex 1.1: Evidence Plan).</p>
34	<p>Local authorities have considerable expertise in consulting local people. They will be able to draw on this expertise to provide advice to applicants on the makeup of the community and on how consultation might best be undertaken. In addition, many authorities will already have a register of local interest groups, and should be able to readily provide applicants with an appropriate list of such groups for the purposes of consultation</p>	<p>The Applicant consulted each local authority that is within s. 43(1) on the content of the draft SoCC, and as detailed in Chapter 6 of the Consultation Report. These are:</p> <p>‘B’ Host Authorities:</p> <ul style="list-style-type: none"> • East Riding of Yorkshire Council; <p>‘A’ Neighbouring Authorities:</p> <ul style="list-style-type: none"> • Hull City Council; • North East Lincolnshire Council; • North Lincolnshire Council; • Doncaster Metropolitan Borough District Council; • Selby Borough District Council; • York City Council; • Ryedale District Council; • Scarborough Borough Council; • North Yorkshire County Council.

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35	<p>“The applicant has a duty under section 47 of the Planning Act to prepare a Statement of Community Consultation, and then to conduct its consultation in line with that statement. Before doing so, the applicant must consult on their Statement of Community Consultation with each local authority in whose area the proposed development is situated. This may require consultation with a number of different local authorities, particularly for long linear projects.”</p>	<p>The Applicant prepared a SoCC at the start of the consultation process and consulted on a draft version of the SoCC with local authorities prior to publishing it in accordance with s. 47(6) of the 2008 Act. The proposal crossed one local authority boundary (East Riding of Yorkshire) who was formally consulted on the SoCC. In addition, whilst recognising it is not a requirement to consult the neighbouring authorities on the draft SoCC, for inclusiveness the following local authorities neighbouring East Riding of Yorkshire were consulted on the draft SoCC:</p> <ul style="list-style-type: none"> • Hull City Council; • Doncaster Metropolitan Borough District Council; • Selby Borough District Council; • York City Council; • Ryedale District Council; • Scarborough District Council; • North Lincolnshire Council; • North Yorkshire County Council.
36	<p>“Even where it is intended that a development would take place within a single local authority area, it is possible that its impacts could be significantly wider than just that local authority’s area – for example if the development was located close to a neighbouring authority. Where an applicant decides to consult people living in a wider area who could be affected by the project (e.g. through visual or environmental impacts, or through increased traffic flow), that intention should be reflected in the Statement of Community Consultation.”</p>	<p>The Consultation Zone (defined in Chapter 6 of the Consultation Report) for Hornsea Four was shown in the SoCC and lies entirely within one local authority (East Riding of Yorkshire). See Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation.</p>
37	<p>“...prior to submitting their draft Statement of Community Consultation applicants may wish to seek to resolve any disagreements or clarifications about the public consultation design. An applicant is therefore likely to need to engage in discussions with local authorities over a longer period than the minimum requirements set out in the Act.”</p>	<p>The Applicant engaged with the local authorities prior to issuing the SoCC to notify them of the intended approach to consultation and to seek their feedback. Responses to the draft SoCC are detailed in Chapter 6 of the Consultation Report.</p>

Ref	Requirement	Compliance
38	<p>“The role of the local authority in such discussions should be to provide expertise about the make-up of its area, including whether people in the area might have particular needs or requirements, whether the authority has identified any groups as difficult to reach and what techniques might be appropriate to overcome barriers to communication. The local authority should also provide advice on the appropriateness of the applicant’s suggested consultation techniques and methods. The local authority’s aim in such discussion should be to ensure that the people affected by the development can take part in a thorough, accessible and effective consultation exercise about the proposed project.”</p>	<p>The Applicant developed its approach to consultation Applicant collaboratively with the local authorities. The considered feedback and suggestions from the local authorities captured during informal meetings and formally in response to the draft SoCC regarding its approach to consultation.</p> <p>This included suggestions and agreement on four different venues across ERYC for local information events and suggested publications for advertising local information events more widely across the consultation area.</p>
39	<p>“Topics for consideration at such pre-consultation discussions might include:</p> <ul style="list-style-type: none"> • The size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area); • The appropriateness of various consultation techniques, including electronic based ones; • The design and format of consultation materials; • Issues which could be covered in consultation materials; • Suggestions for places/timings of public events as part of the consultation; • Local bodies and representative groups who should be consulted; and • Timescales for consultation. 	<p>This included printed event advertisements located at 7 CAP Sites, across 22 local information points, and 21 locations within the vicinity of the project, as list in Volume B1, Annex 1.21: Publicity of Phase Two Section 47 local information events and detailed in Chapter 7 of the Consultation Report.</p> <p>Suggestions also included a number of local interest groups or individuals who should be consulted. These suggestions are included in Chapter 6 of the Consultation Report.</p> <p>Materials were also made available in large print, audio and braille.</p>
40	<p>“It is expected that in most cases applicants and local authorities will be able to work closely together and agree on the local consultation process.”</p>	<p>As detailed above, the Applicant engaged with the local authorities early in the development process. Furthermore, even after publishing the SoCC, the Applicant continued to consider any feedback or suggestions from the local authorities on the consultation process to ensure the consultation was robust. See Chapter 6 of the Consultation Report.</p>
41	<p>“Where a local authority raises an issue or concern on the Statement of Community Consultation which the applicant feels unable to address, the applicant is advised to explain in their consultation report their course of action to the Secretary of State when they submit their application.”</p>	<p>The local authorities raised no concerns regarding the level of detail provided in the SoCC.</p>

Ref	Requirement	Compliance
42	<p>"Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. If the applicant is unsure how to proceed, they are encouraged to seek advice from the Inspectorate. However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project, and once satisfied, to proceed with the consultation."</p>	<p>Relevant local authorities, including the sole "B" Host Authority, East Riding of Yorkshire Council, provided a response to the draft SoCC as described in Chapter 6 of the Consultation Report.</p>
43	<p>"Local authorities are also themselves statutory consultees for any proposed major infrastructure project which is in or adjacent to their area. Applicants should engage with [local authorities as statutory bodies] as early as possible to ensure that the impacts of the development on the local area are understood and considered prior to the application being submitted to the Secretary of State."</p>	<p>The Applicant commenced consultation with sole "B" Host Authority (in which the proposed development is located), East Riding of Yorkshire Council, and neighbouring "A" authorities, in the pre-application stage, initially on the contents of the SoCC and subsequently through the various stages of the Environmental Impact Assessment. In addition to individual meetings with the authorities, East Riding of Yorkshire Council (in which the proposed development is located) the Applicant engaged with Council Members through various working groups, which met on a regular basis (see Chapter 5 of the Consultation Report).</p>
	<p>Local authorities will be able to provide an informed opinion on a wide number of matters, including how the project relates to Local Plans.</p> <p>Local authorities may also make suggestions for requirements to be included in the draft Development Consent Order.</p> <p>These may include the later approval by the local authority (after the granting of a Development Consent Order) of detailed project designs or schemes to mitigate adverse impacts. It will be important that any concerns local authorities have on the practicality of enforcing a proposed Development Consent Order are raised at the earliest opportunity.</p>	<p>Engagement with East Riding of Yorkshire Council has been undertaken since the inception of Hornsea Four, with a continuous programme of meetings tailored to ensure the project benefits from valuable input and agreements. Communication regarding local planning designations has been fundamental during the site selection of the Onshore Substation, and local planning policy has been identified and discussed during the topic specific technical panel meetings.</p> <p>The draft Development Consent Order (DCO) was part of the suite of documentation submitted for formal consultation under sections 42 of the Planning Act 2008, providing stakeholders the opportunity to provide comments and suggestions. Further engagement will be undertaken with the East Riding of Yorkshire Council.</p> <p>In respect of the detailed design phase of Hornsea Four, aspects of the project will be developed and approved post-consent with East Riding of Yorkshire Council.</p>

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48	<p>“Local authorities are encouraged to discuss and work through issues raised by the proposed development with applicants well before an application is submitted. Agreements reached between an applicant and relevant local authorities can be documented in a statement of common ground. [...] The statement of common ground can also set out matters where agreement has not been reached.”</p>	<p>As part of the extensive programme of engagement between Hornsea Four and East Riding of Yorkshire Council a number of agreements have been secured. The Applicant will be seeking to document these agreements in a Statement of Common Ground as provided in Chapter 12 of the Consultation Report.</p>
49	<p>“Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them.”</p>	<p>The Applicant has consulted with those who own, occupy or have an interest in the land. Dialogue with landowners and interest holders continued past formal statutory consultation to progress agreements. Details of the consultation with landowners and interest holders is provided in Chapters 8 and 12 of the Consultation Report.</p> <p>By engaging with land interests early in the process, the Applicant has been able to take on board a significant number of the comments received, resulting in changes to the final cable route. These changes are summarised in Chapters 1 and 11 of the Consultation Report and shown in detail in Volume B1, Annex 1.35: Onshore Design Changes – Landowner Feedback.</p>
50	<p>“It is the applicant’s responsibility to demonstrate at submission of the application that due diligence has been undertaken in identifying all land interests and applicants should make every reasonable effort to ensure that the Book of Reference (which records and categorising those land interests) is up to date at the time of submission.”</p>	<p>The Applicant has made diligent enquiries to ensure that Volume E1, Chapter 3: Book of Reference is up to date at the time of submission.</p>

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51	<p>“However, it is understood that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.”</p>	<p>A request was made to the Land Registry to provide details of any changes of interest in land on 17 August 2021. It was confirmed by the Land Registry that no changes had occurred since formal consultation (23rd September 2019).</p> <p>The Applicant considers that it has rigorously observed its duty to carry out diligent inquiry to inform and support its Application for development consent for Hornsea Four. However, the Applicant also considers that diligent inquiry is an ongoing process in which the information obtained to date will need to be kept under review and updated at appropriate milestones as the Applicant continues to progress its promotion and delivery of Hornsea Four.</p>
52	<p>“Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.”</p>	<p>Where new land interests were identified after the conclusion of the first round of statutory consultation (under s.42), these were consulted as part of the additional targeted statutory consultation.</p> <p>This included new land interests associated with an alternative Export Cable Corridor (ECC) route option, a number of minor onshore route amendments and operational access rights.</p>
53	<p>“Local people have a vital role to play at the pre-application stage. People should have as much influence as is realistic and possible over decisions which shape their lives and communities. It is therefore critical that they are engaged with project proposals at an early stage...”</p>	<p>The Applicant publicised the SoCC on 6 September 2018 to communicate how the approach to pre-application consultation would be undertaken with the community. The Applicant then submitted a Community Consultation Leaflet, which was sent to all properties in the consultation area on 10 October 2018 publicising the first round of community consultation from 10 October 2018 – 21 November 2018. The consultation was further publicised online, in local media and via notifications at local information points. This was to engage with the community and near neighbours early in the development of the Development.</p> <p>The Applicant chose to undertake a multistage and iterative consultation process with the community to ensure feedback from the consultation could influence the design of the Development.</p> <p>Feedback and Development changes made as a result of public consultation are summarised in Chapters 1 and</p>

Ref	Requirement	Compliance
		<p>10 of the Consultation Report and in Volume B1, Annex 1.3: Applicant Regard to Section 47 Consultation Responses.</p>
54	<p>"In consulting on project proposals, an inclusive approach is needed to ensure that different groups have the opportunity to participate and are not disadvantaged in the process. Applicants should use a range of methods and techniques to ensure that they access all sections of the community in question."</p>	<p>A range of consultation methods were presented in the draft SoCC which was consulted on with the local authorities. See Volume B1, Annex 1.9: Section 47, Duty to Consult Local Community – Draft Statement of Community Consultation.</p> <p>Online and offline communication methods were used to engage a wide range of people in the consultation process for the Development. These included:</p> <ul style="list-style-type: none"> • Project website and bespoke digital engagement platform • Orsted Twitter feed • Hard copy information and notices available at 35 local information points and 8 community access points. • Mailouts to a consultation area of over 5,300 local properties and businesses • 8 consultation events over two different phases throughout the consultation area • Presentations to consultation groups and individual stakeholder meetings • Local media engagement and advertising

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55	<p>“Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. [...] Such documents should be written in clear, accessible, and non-technical language. Applicants should consider making it available in formats appropriate to the needs of people with disabilities if requested. There may be cases where documents may need to be bilingual...but it is not the policy of the Government to encourage documents to be translated into non-native languages.”</p>	<p>Section 5 of the SoCC (see Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation) clearly sets out what the Applicant plans to consult on with the local community including: short term and temporary impacts during construction, long term operational impacts and benefits.</p> <p>For the phase two community consultation events that ran in parallel to the statutory consultation on the PEIR, a series of fact sheets on key topic areas were provided for individuals with a high-level interest. See Volume B1, Annex 1.23: Phase Two Section 47 Local Information Event Materials. The Applicant recognised that the PEIR provided technical information, so a non-technical summary was produced to supplement the full PEIR.</p> <p>All consultation materials were made available in different formats, including braille, audio and large print at the request of ERYC.</p>
56	<p>“Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals...”</p>	<p>The Applicant sets out how it intended to consult the local community in the SoCC. The Applicant publicised the consultation widely and consulted with a significant number of consultees from the wider area, as detailed in Chapter 7 of the Consultation Report.</p>
57	<p>“The Statement of Community Consultation should act as a framework for the community consultation generally, for example setting out where details and dates of any events will be published. The Statement of Community Consultation should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and send to local community groups as appropriate.”</p>	<p>Hard copies of the SoCC were issued to the local authorities, parish councils and CAP sites. Copies of the SoCC were available online throughout the consultation and made available at all exhibitions and events organised by the Applicant. This included versions of the SoCC in large print, audio and braille.</p> <p>The Applicant made the SoCC available via:</p> <ul style="list-style-type: none"> • Online on the project website; • Hard copies at the consultation events; • Community Access Points as advertised in the SoCC; • Two rounds of advertisements in local media covering the consultation area. <p>The SoCC outlined the consultation process for Hornsea Three and the indicative details of the local information events. It contained the details and dates of local information events that were publicised across the consultation area (See Volume B1, Annex 1.10: Section</p>

Ref	Requirement	Compliance
		<p>47 Duty to Consult Local Community – Final Statement of Community Consultation).</p>
58	<p>“Applicants are required to publicise their proposed application under section 48 of the Planning Act and the Regulations and set out the detail of what this publicity must entail. [...] Where possible, the first two required local newspaper advertisements should coincide approximately with the beginning of the consultation with communities. However, given the detailed information required for the publicity in the Regulations, aligning publicity with consultation may not always be possible, especially where a multi-stage consultation is intended.”</p>	<p>The Applicant publicised the s.48 Notice (see Volume B1, Annex 1.19: Section 48 Notice) in two consecutive rounds of local media advertisements with the first-round coinciding with the commencement of phase two s.47 and s.42 consultation on 16 August 2019. The publication schedule of the s.48 notices is provided in this document and in Chapter 9 of the Consultation Report.</p>
61	<p>“Applicants have a statutory duty to consult any local authority in whose land a project it sited. So, where an offshore project also features land-based development, the applicant should treat the local authority where the land-based development is located as the main consultee for the Statement of Community Consultation. The applicant is also advised to consider seeking views on the Statement of Community Consultation from local authorities whose communities may be affected by the project, for example visually of through construction traffic, even if the project is in fact some distance from the area in question. In addition, applicants may find it beneficial to discuss their Statement of Community Consultation with any local authority in the vicinity of where there could be an effect on harbour facilities.”</p>	<p>The Applicant consulted the sole local authority within which the proposed development is located, on the draft SoCC; East Riding of Yorkshire Council.</p> <p>In addition to the above authority, the Applicant also consulted the following local authorities adjoining the Hornsea Four onshore cable corridor on the draft SoCC, whose communities may be affected by the project:</p> <ul style="list-style-type: none"> • Hull City Council; • Doncaster Metropolitan Borough District Council; • Selby Borough District Council; • York City Council; • Ryedale District Council; • Scarborough District Council; • North Lincolnshire Council; • North Yorkshire County Council.
63	<p>“Applicants should ensure they consider all the potential impacts on communities which are in the vicinity of the proposed project. These are unlikely to affect all communities to the same degree but might include potential visual, environmental, economic and social impacts.”</p>	<p>The Applicant has undertaken an Environmental Impact Assessment for Hornsea Four. The assessments are presented in Volume A1: Environmental Statement, that accompanies the application.</p>

Ref	Requirement	Compliance
64	<p>“Where the location of a proposed offshore project is such that the impacts on communities are likely to be very small or negligible, applicants are still expected to inform relevant coastal authorities and communities of the proposed project and give them a chance to take part in any consultation. When deciding who to consult in these situations, applicants are encouraged to think laterally, by, for example identifying nearby local authorities with busy harbours, active fishing or sailing. water-sports communities or key local environmental groups.”</p>	<p>The Applicant consulted widely with neighbouring authorities and other parties that could have an interest in the proposals, including local harbours, business and community groups, commercial fisheries and local environmental groups. Volume B1, Annex 1.6: Consultees Consulted Under Section 42 of the 2008 Planning Act. includes a full list of organisations formally consulted with.</p>
65	<p>“Where there are no obvious impacts on local communities, applicants should consult the local communities closest to the proposed project. [...] Equally, local communities may have concerns, for example, about environmental impacts, and open engagement with the applicant will allow them the chance to express their concerns and to understand how these concerns are being addressed. The level of interest shown by local authorities and communities will dictate the degree and depth of consultation required. [...]”</p>	<p>The Applicant has consulted openly with the local communities throughout the pre-application consultation period and adapted its approach based on local feedback. Where more information has been requested, the Applicant has endeavoured to make this available through the various information channels, including the website, newsletters and the project Frequently Asked Questions (FAQs), which were updated as more information became available. During the pre-application stage, the Applicant has provided feedback to consultees in terms of how their comments have influenced the proposal, through Consultation Summary Reports, newsletters and the FAQs.</p> <p>A summary of all responses received and how these have been considered in the final application is provided in Chapter 1 of the Consultation Report.</p>
66	<p>“Ultimately, applicants for offshore projects should take a pragmatic approach, consulting in proportion to the impacts on communities and the size of the project, whilst ensuring that relevant local communities are kept informed about the proposals and offered the chance to participate in shaping them. Applicants should use this as a guiding principle for consultation together with the statutory requirements as set out in the Planning Act. Provided they do this, and fully explain their approach in the consultation report which accompanies their application, the expectation is that their application will not be rejected on the grounds of insufficient public consultation.”</p>	<p>The Applicant has taken a pragmatic approach to consultation. Full consultation has been undertaken with local communities affected by onshore elements, including regularly updated information on offshore elements of the application. By adopting an iterative approach to consultation, the Applicant has been able to ensure that the consultation was robust, proportionate and ultimately effective.</p>

Ref	Requirement	Compliance
67	<p>“...prospective applicants for development consent for certain types of projects are required to consult and engage with the Marine Management Organisation. They will also be able to advise on what, and with whom, additional consultation might be appropriate. Additional guidance is available from the Inspectorate on transboundary consultations.</p>	<p>The Applicant has consulted and continues to engage with the MMO. See Chapter 5 of the Consultation Report. The Applicant’s approach to transboundary consultation is detailed in Chapter 4 of the Consultation Report.</p>
68	<p>“To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. At the same time, consultees will need sufficient information on a project to be able to recognise and understand the impacts.”</p>	<p>The Applicant undertook consultation early in the development process with statutory consultees, landowners (including persons with an interest in land) and members of the local community. Key changes to the project made in response to feedback are detailed in table 1.1 of this Consultation Report.</p> <p>Early on it was stated that more information would be made available as the project developed. See section 6 of the SoCC, available in Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation.</p>
69	<p>“Applicants will often require detailed technical advice from consultees, and it is likely that their input will be of the greatest value if they are consulted when the project proposals are fluid, followed up by confirmation of the approach as proposals become firmer. In principle, therefore applicants should undertake initial consultation as soon as there is sufficient detail to allow consultees to understand the nature of the project properly.”</p>	<p>Throughout the pre-application consultation period, the Applicant consulted with stakeholders informally to seek their feedback on the proposals. Technical Panel Meetings were established early on in pre-application as part of the Evidence Plan process, to agree the evidence and approaches that have underpinned the technical assessments and to discuss topic specific issues with the relevant stakeholders.</p>
70	<p>“To manage the tension between consultation early, but also having project proposals that are firm enough to enable consultees to comment, applicants are encouraged to consider an iterative, phased consultation consisting of two (or more) stages, especially for larger projects with long development periods. For example, the applicant might wish to consider undertaking non-statutory early consultation at a stage where options still being considered. This will be helpful in informing the proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.”</p>	<p>The Applicant adopted an iterative, phased approach to community consultation for Hornsea Four, which consisted of two rounds of community consultation events across two broad phases.</p> <p>The Applicant also undertook three additional rounds of Targeted Consultation as detailed in Chapter 11 of this Consultation Report.</p> <p>The Applicant also undertook further non-statutory consultation between phases of consultation, including ongoing non-statutory stakeholder meetings to encourage greater participation from across the community. For example, an Onshore Substation Consultation Group was established to discuss site selection of the proposed Hornsea Four onshore</p>

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		<p>substation, along with landscaping and mitigation proposals. See Chapter 5 of the Consultation Report.</p> <p>The Applicant also held a number of working groups and stakeholder meetings with a range of stakeholder groups, as detailed in Chapter 5 of the Consultation Report.</p>
71	<p>"Where an iterative consultation is intended, it may be advisable for applicants to carry out the final stage of consultation with persons who have an interest in the land once they have worked up their project proposals in sufficient detail to identify affected land interests."</p>	<p>The Applicant considers that the stages of consultation carried out with land interests has been sufficient and has increased in detail with each phase of consultation, including as part of the s.42 consultation between 16 August and 23 September 2019 and three additional rounds of targeted consultation between 17 February and 18 March 2020; 04 August and 08 September 2020; and 30 June and 30 July 2021.</p> <p>The Applicant has also engaged with persons with land interests prior to the s.42 consultation in the form of service of Land Interest Questionnaires (LIQs) and emails and conducting site visits and phone calls. Although the primary intention of these is to establish all landed interests it also gave people the opportunity to provide feedback to the Applicant.</p> <p>Additionally, there has been and continues to be the opportunity for direct informal landowner feedback to the Applicant. The Applicant continues to receive feedback through various avenues of contact that remain open during pre-application and can inform the project proposals.</p>
72	<p>"...The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt on the consultation documents. It is expected that this may be sufficient for projects which are straightforward and uncontroversial in nature. But many projects, particularly larger or more controversial ones, may require longer consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not</p>	<p>The Applicant complied with the statutory minimum for all roads of consultation. Recognising of the scale of the Development, the consultation periods that were given for the s.47, s.42 and s.48 consultation were beyond the 28-day statutory minimum.</p>

Ref	Requirement	Compliance
	withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account."	
73	"Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. [...] When considering the need for additional consultation, applicants should use the degree of change, the effect on the local community and the level of public interest as guiding factors."	<p>The Applicant continued to refine the red line boundary throughout the pre-application consultation programme, following feedback from each round of consultation under section 47 of the Act 2008.</p> <p>Where the Applicant proposed changes that fell beyond the previous red line boundary, in response to ongoing project development and design changes. Additional consultation was undertaken on these areas to ensure new lands interests were consulted and had an opportunity to comment on the application.</p>
74	"Where a proposed application changes to such a large degree that the proposal could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further re-consultation on the new proposals, and should supply consultees with sufficient information to enable them to understand the nature of the change and any likely significant impacts (but not necessarily the full suite of consultation documents), and allow at least 28 days for consultees to respond."	<p>The Project did not change as much as envisaged by this part of the guidance; however, in response to feedback from the first round of statutory consultation (phase two) and ongoing design development, the Applicant did undertake further statutory consultation.</p> <p>The first targeted consultation sought feedback on a number of additional locations, covering an alternative Export Cable Corridor (ECC) route option, a number of minor onshore route amendments and operational access rights. The consultation commenced on 17 February 2020 and closed on 18 March 2020, a total of 30 days.</p>
75	"If the application only changes to a small degree [...] the applicant should ensure that all affected statutory consultees and local communities are informed of the changes."	<p>The second targeted consultation sought feedback on proposed amendments to the Hornsea Four OnSS and EBI access requirements. The consultation commenced on 04 August 2020 and closed on 08 September 2020, a total of 36 days.</p>
76	"In circumstances where a particular issue has arisen during the pre-application consultation, or where it is localised in nature, it may be appropriate to hold a non-statutory, targeted consultation. A developer's Statement of Community Consultation should be drafted so that it does not preclude this approach. [...]"	<p>The third targeted consultation sought feedback on the proposed relation of an existing construction access location to collaborate with the A164 Jock's Lodge Highway Improvement Scheme. The consultation commenced on 30 June 2021 and closed on 30 July 2021, a total of 31 days.</p> <p>The Applicant also undertook a non-statutory targeted consultation on potential compensation measures for sea birds. The consultation commenced on 05 August 2021 and closed on 06 September 2021, a total of 31 days.</p>

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78	<p>“Applicants are required under section 37 of the Planning Act to produce a consultation report alongside their application, which details how they have complied with the consultation requirements set out in the Act.”</p>	<p>Volume B1, Chapter 1: Consultation Report has been prepared by the Applicant and submitted as part of the application.</p>
80	<p>“Therefore, the consultation report should:</p> <ul style="list-style-type: none"> • provide a general description of the consultation process undertaken, which can helpfully include a timeline; • set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate; • set out how the applicant has taken account of any responses to consultation with local authorities on what should be in the applicant’s statement of community consultation; • set out a summary of relevant responses to consultation (but not a complete list of responses); • provide a description of how the application was informed and influenced by those responses, outlining any changes made as a result and showing how significant relevant responses will be addressed; • provide an explanation as to why responses advising on major changes to the project were not followed, including advise from statutory consultees on impacts; • where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an explanation for the action taken or not taken; and • be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters.” 	<p>References to the relevant sections of Volume B1: Consultation Report are provided below:</p> <ul style="list-style-type: none"> • A description of the consultation process, including a timeline is provided in Chapter 1 of the Consultation Report; • This is noted throughout the Consultation Report detailed in full in Volume B1, Annex 1.2: Consultation Compliance Checklist; • Chapter 6 of the Consultation Report explains the approach to consulting on the draft SoCC and details the full comments received from the local authorities and how the Applicant responded to these comments and any changes made to the final SoCC (see Volume B1, Annex 1.10: Section 47 Duty to Consult Local Community – Final Statement of Community Consultation); • A summary of the responses received to the consultation and how the Applicant has responded to these comments and any resulting project changes is clearly summarised in Chapter 1 of the Consultation Report; • A summary of responses received to the project and how the Applicant had regard to these is provided in Volume B1: Consultation Report, specifically in Chapters 10 and 11. Volume B1, Annex 1.3: Applicant Regard to Section 47 Consultation Responses and Volume B1, Annex 1.4: Applicant Regard to Section 42 Consultation Responses detail all responses received to the s.47 and s.42 consultation and how the Applicant has taken account of comments. • As part of the responses provided to feedback, in Volume B1, Annex 1.3: Applicant Regard to Section 47 Consultation Responses and Volume B1, Annex 1.4: Applicant Regard to Section 42 Consultation Responses, the Applicant has indicated where there has been a project change or no change with a supporting explanation provided in the responses. A summary of these key changes or no changes is provided in Chapter 1 of the Consultation Report.

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		<ul style="list-style-type: none"> The Applicant has endeavoured to make the Consultation Report as clear as possible. The Applicant has followed guidance regarding the structure of the Consultation Report as set out in PINS Advice Note Fourteen: Compiling the Consultation Report and has included diagrams and timelines to guide readers. This Annex demonstrates how the Applicant has complied with these requirements and in each chapter of the Consultation Report with a statement of compliance.
81	<p>"It is good practice that those who have contributed to the consultation are informed of the results"</p>	<p>If the application is accepted, the Applicant intends to notify all parties that have contributed to the consultation of the results and direct them to where the full application, including the Consultation Report is available to view.</p> <p>During the pre-application period, the Applicant produced interim consultation summary reports after each round of community consultation events undertaken in accordance with s. 47 of the 2008 Act (see Volume B1, Annex 1.18: Phase One Section 47 Consultation Summary Report and Volume B1, Annex 1.25: Phase Two Section 47 Consultation Summary Report). These reports provided a high-level overview of the feedback received at each stage. The Applicant also regularly updated the FAQ document on the website to provide responses to commonly asked questions during the pre-application period.</p>
82	<p>"As with the consultation itself, it is likely that different audiences will require different level of information...."</p>	<p>A non-technical summary has been prepared and submitted alongside Volume A1: Environmental Statement that accompanies the application. Volume B1: Consultation Report includes a summary of the key topics raised during the consultation and how the Applicant has had regard to these in the application. Tables of all relevant responses received to the s.47 consultation and how the Applicant has had regard to these is provided in Volume B1, Annex 1.3: Applicant Regard to Section 47 Consultation Responses.</p> <p>These tables have been prepared following guidance from the Planning Inspectorate (2012), Advice Note Fourteen: Compiling the Consultation Report.</p>

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83	<p>“The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should make a judgement as to whether the consultation report provides sufficient detail on the relevant impacts, or whether a targeted response would be more appropriate. Applicants are also likely to have identified a number of key additional bodies for consultation and may need to continue engagement with these bodies on an individual basis.”</p>	<p>After each phase of s.47 consultation the Applicant published a consultation summary report to the core consultation zone and online via the Project website (see Volume B1, Annex 1.18: Phase One Section 47 Summary Consultation Report and Volume B1, Annex 1.25: Phase Two Section 47 Consultation Summary Report) to notify consultees of how feedback received was being taken into account in the development of the Project.</p> <p>Following the phase two s.47 consultation, the Applicant provided direct updates to the Onshore Substation Working Group and Intertidal Working Group as well as to locally elected members by way of bespoke briefing meetings. A summary of these meetings is provided in Chapter 5 of the Consultation Report.</p> <p>The Applicant has also submitted a community newsletter at the time of submission to the core consultation zone, also made available online, providing a summary of the key project changes and next steps. See Volume B1, Annex 1.26: Community Newsletters.</p> <p>The Applicant is prepared to continue to engage across the consultation area and through the established dedicated working groups beyond the DCO application submission to ensure consultees remain engaged and additional bodies are informed of the latest Project information.</p> <p>The Applicant will also engage with consultation bodies throughout the application phase, along with ongoing engagements with SoCGs.</p>

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93	<p>“For the pre-application consultation process, applicants are advised to include sufficient preliminary environmental information to enable consultees to develop an informed view of the project. [...] The preliminary environmental information is not expected to replicate or be a draft of the environmental statement. [...] The key issue is that the information presented must provide clarity to all consultees. Applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information. It is therefore advisable to ensure access to such information is provided during all consultations. The applicant’s Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.”</p>	<p>The Applicant has prepared an Environmental Statement, and a Report to Inform Appropriate Assessment under the Habitats Regulations. The Applicant confirmed in its SoCC that Hornsea Four constitutes an ‘EIA Development’ for the purposes of the EIA Regulations. The Applicant set out in the SoCC how it would be publicising and consulting on the PEIR. Further information in respect of how the PEIR was publicised and consulted upon is included in Chapter 8 of the Consultation Report.</p>
95	<p>“When considering whether a project has the potential to significantly affect the integrity of certain European protected wildlife sites, the applicant must provide a report which should include the site(s) that may be affected, together with sufficient information to enable the Secretary of State, as decision maker, to conclude whether an appropriate assessment is required, and, if so, to undertake such an assessment.”</p>	<p>The Applicant has prepared Volume A1: Environmental Statement, and Volume B2, Chapter 2: Report to Inform Appropriate Assessment under the Habitats Regulations.</p>
96	<p>“It is the applicant’s responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulations Assessment). This consultation should take place as early as possible in the pre-application process. One way of doing this is for an applicant to agree an evidence plan. [...]”</p>	<p>As part of its consultation undertaken pursuant to s. 42 of the 2008 Act, the Applicant consulted Natural England, Joint Nature Conservation Committee (JNCC), the Environment Agency and other relevant nature stakeholders. In particular, consultation in relation the production of the Report to Inform Appropriate Assessment was undertaken as part of the Evidence Plan process (see Chapter 5 of the Consultation Report).</p>