



Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

Compliance Checklist

August 2022

Document Reference: 5.2.2

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1 CONSULTATION COMPLIANCE CHECKLIST

1.1 Introduction

1. The following checklist demonstrates the consultation obligations imposed by Sections 42, 43, 44,45, 46, 47, 48, 49 of the Planning Act 2008 (the 2008 Act), as well as the statutory guidance about the pre-application procedure published under Section 50 of the 2008 Act. It includes an outline of how Equinor New Energy Limited, on behalf of Scira Extension Limited and Dudgeon Extension Limited (hereafter 'the Applicant') has met each of these requirements.
2. **Table 1-1** also demonstrates how the Applicant has complied with the following regulations and guidance:
 - Infrastructure Planning (Application: Prescribed Form and Procedure) Regulation 2009 (APFP Regulations);
 - Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations);
 - Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015);
3. For completeness this checklist also includes a summary of compliance with the following documents in relation to any guidance set out within those documents relating to consultation:
 - The Overarching NPS for Energy (NPS EN-1) (DECC, 2011a);
 - The NPS for Renewable Energy Infrastructure (NPS EN-3) (DECC, 2011b), which covers nationally significant renewable energy infrastructure (including offshore generating stations in excess of 100MW);
 - The Planning Inspectorate Advice Note Three: EIA Consultation and Notification ('Advice Note 3') (PINS 2017);
 - The Planning Inspectorate Advice Note 7: Environmental Impact Assessment ('Advice Note 7') (PINS 2020).
 - The Planning Inspectorate Advice Note 14: Compiling the Consultation Report ('Advice Note 14') (PINS 2021); and
 - Defra 2021. Best practice guidance for developing compensatory measures in relation to Marine Protected Areas. Dated 22 July 2021. Version: For consultation.

1.2 Consultation Compliance Checklist

Table 1-1 Consultation Compliance Checklist

Ref	Requirement	Compliance
The Planning Act 2008		
S 42	(1) The applicant must consult the following about the proposed application:	
	(a) such persons as may be prescribed,	<p>The Applicant consulted all prescribed consultees; defined in Regulation 11(1)(a) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (“the EIA Regulations”) and Schedule 1 to the APFP Regulations. The Applicant added further ‘non-prescribed’ consultees in addition to this. See Section 5 of the Consultation Report which summarises who was consulted during Section 42 Consultation. For a list of all Section 42 consultees consulted see Appendix 6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>The Applicant also consulted selected prescribed consultees, alongside selected non-prescribed consultees, on a non-statutory basis in its targeted onshore consultation and targeted offshore consultation (details of which can be found at Section 13 of the Consultation Report). Lists of those consulted for each targeted consultation is contained in Appendix 19: Targeted Consultation Notifications.</p>

Ref	Requirement	Compliance
	(aa) the Marine Management Organisation	<p>The Applicant consulted the MMO in relation to the preparation of the SoCC (see Section 1.2 of the Consultation Report), as part of the Section 42 consultation (see Section 9.8 of the Consultation Report and Appendix 6: Consultees Consulted Under Section 42 of the 2008 Planning Act) and as part of the targeted offshore consultation (see Section 13 of the Consultation Report and Appendix 19: Targeted Consultation Notifications for a list of parties consulted).</p>
	(b) each local authority that is within Section 43	<p>The Applicant consulted each local authority that is within Section 43. For the sake of clarity, these are listed below:</p> <ul style="list-style-type: none"> • ‘A’ Neighbouring Authorities: <ul style="list-style-type: none"> ○ Norwich City Council ○ Great Yarmouth Borough Council ○ King’s Lynn and West Norfolk Borough Council ○ Breckland Council ○ Mid Suffolk District Council ○ East Suffolk Council ○ The Broads National Park Authority • ‘B’ Host Authorities: <ul style="list-style-type: none"> ○ North Norfolk District Council (NNDC) ○ Broadland District Council (BDC) ○ South Norfolk Council (SNC)

Ref	Requirement	Compliance
		<ul style="list-style-type: none"> • ‘C’ Host Authorities <ul style="list-style-type: none"> ○ Norfolk County Council (NCC) • ‘D’ Neighbouring Authorities <ul style="list-style-type: none"> ○ Lincolnshire County Council ○ Cambridgeshire County Council ○ Suffolk County Council • Additional Authorities scoped in: <ul style="list-style-type: none"> ○ East Lindsay District Council ○ South Holland District Council ○ Boston Borough Council <p>See Appendix 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	<p>The Applicant consulted each person who is within one or more of the categories set out in Section 44, including those newly identified Section 44 consultees as a result of changes to the redline boundary for the project since Section 42 consultation, who were consulted as part of the targeted onshore consultation. See Appendix 22: Section 44 stakeholder list and Book of Reference (document reference 4.1). Section 5.5 of the Consultation Report explains how Section 44 consultees were identified and Section 13 of the</p>

Ref	Requirement	Compliance
		<p>Consultation Report explains how newly identified Section 44 consultees were consulted as part of the onshore targeted consultation.</p>
S45	<p>Timetable for consultation under section 42</p>	<p>See Sections 9 and 13 of the Consultation Report</p>
	<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 as part of the Section 42 consultation of the deadline of 10 June 2021 in writing by email or post. See Appendix 7: Notification to Section 42 Consultees of Section 42 Consultation (29 April – 10 June 2021).</p> <p>The Applicant notified the relevant section 42 consultees in writing of the onshore targeted consultation and the deadline for responses on 04 January 2022. See Appendix 19 Targeted Consultations Notifications.</p> <p>The Applicant notified the relevant section 42 consultees in writing of the offshore targeted consultation and the deadline for responses on 05 April 2022. See Appendix 19 Targeted Consultations Notifications.</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 the Section 42 consultation between 29 April and 10 June 2021. All Section 42 consultees were formally notified of the commencement of the consultation to begin on 29 April 2021 in writing on 29 April 2021. The deadline for responding to the Section 42 consultation was 10 June 2021 (exceeding the statutory response period of 28 days). The formal notification can be found in Appendix 7: Notification to</p>

Ref	Requirement	Compliance
		<p>Section 42 Consultees of Section 42 Consultation (29 April – 10 June 2021).</p> <p>The Applicant undertook a round of Onshore Targeted consultation (see Section 13 of the Consultation Report and Appendix 19: Targeted Consultations Notifications for copies of the letters referred to below). The Applicant notified the Section 42 consultees in writing of the onshore targeted consultation and the deadline for responses on 06 January 2022. The consultation commenced on 06 January 2022 and closed on 16 February 2022 (exceeding the statutory response period of 28 days).</p> <ul style="list-style-type: none"> The Applicant also undertook a round of offshore targeted consultation (see Section 13 of the Consultation Report and Appendix 19: Targeted Consultations Notifications for copies of the letters referred to below). <p>The Applicant notified the Section 42 consultees in writing of the offshore targeted consultation and the deadline for responses on 05 April 2022. The consultation commenced on 06 April 2022 and closed on 18 May 2022 (exceeding the statutory response period of 28 days).</p>
	(3) In subsection (2) “the consultation documents” means the documents supplied	<p>See section 9.8 of the Consultation Report for the list of consultation documents provided to all Section 42 (further</p>

Ref	Requirement	Compliance
	<p>to the person by the applicant for the purpose of consulting the person.</p>	<p>referred to as the 'section 42 Consultation Documents') at Section 42 consultation.</p> <p>In addition to the consultation documentation regarding SEP and DEP, links to the following additional documents were also provided:</p> <ul style="list-style-type: none"> • SEP and DEP Draft Information for Habitats Regulations Assessment Report; • SEP and DEP Draft Information for Marine Conservation Zone Assessment Report; • SEP and DEP Main Construction Compound Site Selection Report; • SEP and DEP Offshore Work Plans; • SEP and DEP Onshore Work Plans, and • SEP and DEP Project Description Plan. <p>A USB with all of the above materials was also available upon request, free of charge.</p> <p>For the onshore targeted consultation, the consultation documents comprised (see Appendix 19: Targeted Consultations Notifications):</p> <ul style="list-style-type: none"> • A cover letter; • The full PEIR including a Non-Technical Summary (PEIR NTS);

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		<ul style="list-style-type: none"> • Onshore Main Construction Compound Updated Site Selection Report; and • Onshore Main Construction Compound Additional Environmental Information. <p>For the offshore targeted consultation, the consultation documents comprised (see Appendix 19: Targeted Consultations Notifications):</p> <ul style="list-style-type: none"> • A cover letter; • The full PEIR including a Non-Technical Summary (PEIR NTS); • Offshore Temporary Works Order Limits Environmental Report; and • Map showing proposed changes to PEIR boundary.
S46	<p>Duty to notify Commission of proposed application</p>	<p>See Section 9 of the Consultation Report</p>
	<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>The Applicant notified the Secretary of State in writing under Section 46 of the 2008 Act via email at 15:43 on 28 April 2021 that it was intending to commence statutory consultation on the PEIR under Section 42 of the 2008 Act, commencing on 29 April 2021 and closing on 10 June 2021. Confirmation of receipt was provided on 13 May 2021.</p>

Ref	Requirement	Compliance
	<p>(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.</p>	<p>Consultation documents included in this electronic package were:</p> <ul style="list-style-type: none"> • Section 46 cover letter (please see a copy in Appendix 5); • Example covering letter to statutory consultees under Section 42 of the 2008 Act (please see a copy in Appendix 7); • Example covering letter to land interests under Section 42 of the 2008 Act (please see a copy in Appendix 16); • Notice publicising the proposed DCO application under Section 48 of the 2008 Act (please see a copy in Appendix 11); • Community Consultation Leaflet (please see a copy in Appendix 12); • Feedback Form (please see a copy in Appendix 12); • The Preliminary Environmental Information Report (PEIR); • A non-technical summary of the PEIR; • Plans showing the location of SEP and DEP; • Draft information for Habitats Regulations Assessment; • Draft information for Marine Conservation Zone Assessment; and

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		<ul style="list-style-type: none"> Additional documents including the Statement of Community Consultation (please see a copy in Appendix 8) and the Phase 1 Consultation Report (please see a copy in Appendix 10) (included for information purposes).
S47	<p>Duty to consult the local community</p>	<p>See Section 7 of the Consultation Report</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>The Applicant prepared a Statement of Community Consultation (SoCC). See Appendix 8: Section 47 Duty to Consult Local Community - Statement of Community Consultation.</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>The following local authorities were consulted on the SoCC:</p> <ul style="list-style-type: none"> 'B' Host Authorities <ul style="list-style-type: none"> North Norfolk District Council (NNDC) Broadland District Council (BDC) South Norfolk Council (SNC) Norwich City Council – at the time of consultation on the draft SoCC Norwich City Council was considered a 'B' host authority. Following refinement to the SEP and DEP project boundary, it was later recategorized as an 'A' neighbouring authority. 'C' Host Authorities

Ref	Requirement	Compliance
		<ul style="list-style-type: none"> ○ Norfolk County Council (NCC) <p>Appendix 8: Section 47, Duty to Consult Local Community – Statement of Community Consultation includes a copy of the consultation materials setting out details of the consultation on the draft SoCC. See Section 7 of the Consultation Report for details regarding the development, consultation and publication of the SoCC.</p>
	<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.</p>	<p>The Applicant submitted the draft SoCC to the local authorities for statutory consultation via email at 16:24 on 21 May 2020 accompanied by a cover letter (see Appendix 8: Section 47 Duty to Consult Local Community –Statement of Community Consultation). Responses were requested by 18 June 2020 (28 days in total), compliant with the statutory minimum of 28 days under section 47(3) of the 2008 Act.</p> <p>North Norfolk District Council requested an extension to the SoCC consultation. The Applicant granted this extension, providing a further eight days to provide feedback with a response received on 25 June 2020.</p>
	<p>(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).</p>	<p>The consultation documents supplied by the Applicant included a covering letter and email, and the draft SoCC, and a list of hard-to-reach groups. See Appendix 8: Section 47, Duty to Consult Local Community – Statement of Community Consultation.</p>

Ref	Requirement	Compliance						
	<p>(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).</p> <p>(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,</p> <p>(a) publish, in a newspaper circulating in the vicinity of the land, a notice stating where and when the statement can be inspected, and</p> <p>(b) publish the statement in such manner as may be prescribed.</p>	<p>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 Section 7 of the Consultation Report.</p> <p>The Applicant made the SoCC available for inspection by the public on the SEP and DEP project website [REDACTED] from 09 July 2020 and were available in hard copy on request, as set out in Appendix 8: Section 47 Duty to Consult Local Community – Statement of Community Consultation.</p> <p>A notice publicising the SoCC in accordance with section 47(6) of the Planning Act 2008 appeared in the following publications on the dates listed:</p> <table border="1" data-bbox="1106 1002 1863 1166"> <thead> <tr> <th data-bbox="1106 1002 1503 1054">Publication</th> <th data-bbox="1503 1002 1863 1054">Date</th> </tr> </thead> <tbody> <tr> <td data-bbox="1106 1054 1503 1107">North Norfolk News</td> <td data-bbox="1503 1054 1863 1107">09 July 2020</td> </tr> <tr> <td data-bbox="1106 1107 1503 1166">Eastern Daily Press</td> <td data-bbox="1503 1107 1863 1166">09 July 2020</td> </tr> </tbody> </table> <p>Scanned copies of the SoCC as published in the local newspapers are shown in Appendix 8: Section 47 Duty to Consult Local Community – Statement of Community Consultation.</p>	Publication	Date	North Norfolk News	09 July 2020	Eastern Daily Press	09 July 2020
Publication	Date							
North Norfolk News	09 July 2020							
Eastern Daily Press	09 July 2020							

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		<p>The SoCC set out that the development was EIA development and explained how the Applicant intended to publicise and consult on the PEIR under Regulation 12 of the EIA Regulations and in accordance with Section 47(6)(b) of the 2008 Act.</p>
	<p>(7) The applicant must carry out consultation in accordance with the proposals set out in the statement.</p>	<p>The Applicant undertook consultation under Section 47 of the 2008 Act in accordance with the SoCC. See the table in Appendix 25 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 a Phase One non-statutory consultation between 09 July and 20 August 2020 and a Phase Two statutory Section 47 consultation, which commenced on 29 April 2021 (in parallel to the start of statutory Section 42 consultation) and closed on 10 June 2021.</p>
S 48	<p>Duty to publicise</p>	<p>See Section 10 of the Consultation Report</p>
	<p>(1) The applicant must publicise the proposed application in the prescribed manner.</p>	<p>The Applicant prepared and publicised the application in the prescribed manner set out in the APFP Regulations by publishing a Section 48 notice (see Appendix 11: Section 48 Notice and Advertisements) in the following publications on the dates listed:</p>

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S 49	<p>(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.</p> <p>Duty to take account of responses to consultation and publicity</p>	<p>Publicity under Section 48 of the 2008 Act ran in parallel with Section 42 statutory consultation and Phase Two of the Section 47 consultation from 29 April – 10 June 2021.</p> <p>Dated newspaper copies are provided in Appendix 11: Section 48 Notice and Advertisements.</p> <p>The Section 48 notice included a deadline of 10 June 2021 for receipt of responses to the publicity. The final notice was published on 29 April 2021, therefore exceeding the 28 days statutory minimum response time.</p> <p>See Sections 11, 12 and 13 of the Consultation Report</p>																							

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	<p>(1) Subsection (2) applies where the Applicant</p> <p>(a) has complied with Sections 42, 47 and 48, and</p> <p>(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> <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> <p>(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,</p> <p>(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</p> <p>(c) a response to publicity under Section 48 that is received by the applicant before the</p>	<p>The Applicant has had regard to all relevant responses made pursuant to Section 42, Section 47 and Section 48 in accordance with Section 49.</p> <p>A summary of relevant responses received and how the Applicant has considered these is provided in the Consultation Report, specifically in Section 11, 12, and 13 as well as Appendix 3: Applicant Regard to Section 47 Consultation Responses, Appendix 4: Applicant Regard to Section 42 Consultation Responses, Appendix 23: Main Construction Compound Targeted Consultation Response Tables and Appendix 24: Offshore Temporary Boundary Change Targeted Consultation Responses.</p>

Ref	Requirement	Compliance
	deadline imposed in accordance with Section 48(2) in relation to that publicity.	
S50	Guidance about pre-application procedure	See Section 1.2 of the Consultation Report
	(1) Guidance may be issued about how to comply with the requirements of this Chapter.	<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>
	(2) Guidance under this section may be issued by the Planning Inspectorate or the Secretary of State.	
(3) The Applicant must have regard to any guidance under this section.		
The Infrastructure Planning (Application: Prescribed Form and Procedure) Regulation 2009		
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 Appendix 6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>In addition, the Applicant scoped in a further 162 non-prescribed consultees. A full list of the prescribed and non-prescribed consultees is provided in Appendix 6: Consultees Consulted Under Section 42 of the 2008 Planning Act.</p> <p>Selected prescribed (and non-prescribed) consultees were also consulted on a non-statutory basis under the</p>

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		offshore and onshore targeted consultations See Appendix 19: Targeted Consultations Notifications for these lists.																				
Reg 4	Publicising a proposed application	See Section 10 of the Consultation Report																				
	<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; 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>The Applicant published a notice which included all the matters set out in paragraph (3). Copies of the notice are provided in Appendix 11: Section 48 Notice and Advertisements.</p> <p>The s.48 notice was published as follows:</p> <table border="1" data-bbox="1025 767 1865 1217"> <thead> <tr> <th data-bbox="1025 767 1323 823">Publication</th> <th data-bbox="1323 767 1592 823">1st Insertion</th> <th data-bbox="1592 767 1865 823">2nd Insertion</th> </tr> </thead> <tbody> <tr> <td data-bbox="1025 823 1323 914">North Norfolk News</td> <td data-bbox="1323 823 1592 914">22 April 2021</td> <td data-bbox="1592 823 1865 914">29 April 2021</td> </tr> <tr> <td data-bbox="1025 914 1323 1005">Eastern Daily Press</td> <td data-bbox="1323 914 1592 1005">22 April 2021</td> <td data-bbox="1592 914 1865 1005">28 April 2021</td> </tr> <tr> <td data-bbox="1025 1005 1323 1061">Fishing News</td> <td data-bbox="1323 1005 1592 1061">29 April 2021</td> <td data-bbox="1592 1005 1865 1061">n/a</td> </tr> <tr> <td data-bbox="1025 1061 1323 1114">London Gazette</td> <td data-bbox="1323 1061 1592 1114">28 April 2021</td> <td data-bbox="1592 1061 1865 1114">n/a</td> </tr> <tr> <td data-bbox="1025 1114 1323 1166">Lloyd’s List</td> <td data-bbox="1323 1114 1592 1166">28 April 2021</td> <td data-bbox="1592 1114 1865 1166">n/a</td> </tr> <tr> <td data-bbox="1025 1166 1323 1217">The Times</td> <td data-bbox="1323 1166 1592 1217">28 April 2021</td> <td data-bbox="1592 1166 1865 1217">n/a</td> </tr> </tbody> </table>	Publication	1 st Insertion	2 nd Insertion	North Norfolk News	22 April 2021	29 April 2021	Eastern Daily Press	22 April 2021	28 April 2021	Fishing News	29 April 2021	n/a	London Gazette	28 April 2021	n/a	Lloyd’s List	28 April 2021	n/a	The Times	28 April 2021
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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>The notice (seen in Appendix 11: Section 48 Notice and Advertisements) included all matters required by this regulation. References below refer to the specific paragraph of the notice where the information was provided.</p>																					

Ref	Requirement	Compliance
	<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>(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>	<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
Infrastructure Planning (Environmental Impact Assessment) Regulations 2017		
Reg 8	Procedure for establishing whether environmental impact assessment is required	See Section 4 of the Consultation Report
	<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 08 October 2019, confirming that it intended to provide an Environmental Statement in respect of SEP and DEP 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 SEP and DEP and an explanation of the possible effects of SEP and. It was noted that it was not possible, at that stage to provide full details of permanent and temporary land take required for SEP and DEP and that the area presented in the Scoping Report would be refined as SEP and DEP progressed.</p>

Ref	Requirement	Compliance
Reg 12	<p>Consultation statement requirements</p>	<p>See Appendix 8: Section 47 Duty to Consult Local Community – Statement of Community Consultation</p>
	<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>(b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.</p>	<p>The SoCC states that SEP and DEP is an EIA development in Section 9 (Environmental Information) and sets out how the Applicant intends to publicise and consult on the PEIR in Section 7 (Who will we consult?) and Section 5 (Our Public Consultation). See Appendix 8: Section 47 Duty to Consult Local Community – Statement of Community Consultation.</p>
13	<p>Pre-application publicity under section 48 (duty to publicise)</p>	<p>See Section 10 of the Consultation Report</p>
	<p>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).</p>	<p>The Applicant provided a copy of the notice publicised in accordance with Section 48 of the 2008 Act (see Appendix 7: Notification to Section 42 Consultees of Section 42 Consultation (29 April – 10 June 2021)) to all Section 42 and 44 consultees and non-prescribed bodies.</p>

Ref	Requirement	Compliance
Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015)		
17	<p>“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.”</p>	<p>The Applicant strived to ensure that the status on any documents prepared to inform the consultation was clear throughout. For example, the PEIR was clearly marked “preliminary”, and this was reiterated in public documents.</p>
18	<p>“Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties...”</p>	<p>The Applicant engaged with local authorities and statutory consultees early in the development process for SEP and DEP through consultation on the draft SoCC (see Section 7 of the Consultation Report) and other statutory bodies through the Evidence Plan process and a series of Expert Topic Group meetings. (Evidence Plan).</p> <p>The Applicant commenced Section 47 consultation following the publication of the SoCC, with the first phase of consultation taking place at an early stage (09 July – 20 August 2020) in order to enable an iterative evolution of the Development’s design in response to consultation.</p>
20	<p>“Experience suggests that, to be of most value, consultation should be:</p> <ul style="list-style-type: none"> Based on accurate information that gives consultees a clear view of what is proposed including any options; 	<p>The Applicant’s approach to pre-application consultation is summarised in Section 1 Consultation Report. The Applicant sought to commence early engagement with community and prescribed consultees, holding a non-statutory public information day on 28 October 2019 and commencing engagement with technical consultees in</p>

Ref	Requirement	Compliance
	<ul style="list-style-type: none"> • 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 • Engaging and accessible in style, encouraging consultees to react and offer their views.” 	<p>October 2019 as set out in Section 6 of the Consultation Report (document reference 5.1).</p> <p>The Applicant undertook two rounds of Section 47 community consultation as follows to enable iterative development of the project in response to community consultee feedback:</p> <ul style="list-style-type: none"> • Phase One Section 47 consultation: 09 July 2020 – 20 August 2020 (42 days). • Phase Two Section 47 consultation: 29 April 2021 – 10 June 2021 (42 days). <p>This approach ensured that consultees had adequate opportunity to influence the proposals at an early enough stage that the proposals were still fluid, whilst 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;

Ref	Requirement	Compliance
		<ul style="list-style-type: none"> • Preparing a non-technical summary of the Preliminary Environmental Information Report (PEIR NTS); • Exhibition banners of the project infrastructure and EIA information hosted in the virtual exhibition; • A Consultation summary report following each round of consultation and community newsletters; • Fact sheets on EIA topic areas; • Bespoke website with an interactive map and documents library which contains all consultation materials; • Digital engagement platform with design feedback module; • Establishing stakeholder forums with presentations to parish councils; and • Hosting an Offshore Transmission Network Review Virtual Information Session for parish councils, with presentations from industry experts (see Section 8 of this Consultation Report). • There was a mix of literature suited to different levels of comprehension with both technical language and simple English utilised within the consultation documents.

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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; 	<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>

Ref	Requirement	Compliance
	<ul style="list-style-type: none"> • 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. 	

Ref	Requirement	Compliance
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, 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>The Applicant consulted on a draft SoCC that set out an approach to consultation for the scale and type of Development that SEP and DEP are. All comments received from the local authorities were considered and the SoCC was updated as required as detailed in Table 7-2 of the Consultation Report.</p> <p>The Applicant and the ‘B’ and ‘C’ host authorities have worked together closely on the plans for consulting the local community. For example, the Applicant extended its core consultation zone to 1,000m away from proposed onshore infrastructure following feedback from Norfolk County Council.</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</p>	<p>The Applicant carried out the pre-application consultation in accordance with the SoCC, as agreed with host 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 for consultation periods exceeding the statutory minimum 28 days 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 by setting</p>

Ref	Requirement	Compliance
	<p>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>up a parish and town council stakeholder forum, to further understand the issues and interests of importance to local parish councils.</p> <p>To assist Section 47 consultees in digesting the PEIR and Development Plans, in addition to the technical PEIR, the Applicant provided a non-technical summary (NTS), information sheets on key topics, a consultation leaflet, and a virtual exhibition with further summarised information. The Applicant also held five community Q&A session throughout the consultation to assist with answering any questions related to the PEIR documentation and Development Plans.</p> <p>The Applicant shared PEIR and Section 47 consultation information with 104 interest groups as listed in Section 5 of the Consultation Report. These groups were encouraged to share consultation information with their membership.</p> <p>At the Phase One and Phase Two Section 47 community consultation, the Applicant provided feedback forms for respondents who asked if they would like to be kept updated on news and activity for SEP and DEP. They were asked to select how they would like to be kept updated, the following options were provided:</p> <ul style="list-style-type: none"> •Post; and •Email;

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		If alternative measures of contact were requested the Applicant would consider these.
26	“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>In addition to statutory consultees identified under Section 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 Section 42 of the 2008 Act is provided in Appendix 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 sharing press releases, advertisement in regional publications, targeted social media campaigns (see Section 8 of the Consultation Report) and through hosting public information days.</p>
27	“Applicants are therefore encouraged to consult widely on project proposals.”	<p>Although due to Covid 19 restrictions the Applicant was unable to make documents available at Community Access Points (CAP) sites, the Applicant, where possible and safe to do so, shared newsletters and consultation posters with Local Information Points (LIPs) across the consultation area.</p>
28	“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	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. See Appendix 6: Consultees Consulted Under Section 42

Ref	Requirement	Compliance
	<p>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>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 therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.”</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 in relation to offshore ornithology and marine mammals. See Section 4.9.1 of the Consultation Report and Appendix 1: Evidence Plan. For example, the Applicant has carried out extensive pre-application consultation in relation to its derogation case and compensatory measures with the relevant ETG, as detailed in the Record of HRA Derogation Consultation (document reference 5.5.1.4)</p>

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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 Section 6 of the Consultation Report. These are:</p> <ul style="list-style-type: none"> • ‘B’ and ‘C’ Host Authorities: <ul style="list-style-type: none"> ○ North Norfolk District Council (NNDC); ○ Broadland District Council (BDC); ○ South Norfolk Council (SNC); ○ Norfolk County Council (NCC); and ○ Norwich City Council (NorCC). <p>The Applicant sought input on its list of hard-to-reach groups and local community groups during consultation on its draft SoCC. The following organisations were added following feedback from the host authorities:</p> <ul style="list-style-type: none"> •Visit North Norfolk; •Sheringham High School; •Cromer High School; •Gresham’s School; •CPRE Norfolk; and •New Anglia Local Enterprise Partnership.
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.</p>	<p>The Applicant prepared a SoCC at the start of the consultation process and consulted on a draft version with local authorities prior to publishing it in accordance with s. 47(6) of the 2008 Act. The proposal crossed five local</p>

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	<p>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>authority boundaries, who were formally consulted on the SoCC.</p> <p>The Consultation Zone (defined in Section 5 of the Consultation Report) for SEP and DEP was shown in the SoCC and lies across five local authorities. See Appendix 8: Section 47 Duty to Consult Local Community –Statement of Community Consultation.</p>
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>Within the consultation zone, the Applicant identified a core consultation zone and a wider consultation zone, as defined in Section 5. The core consultation zone comprised of 11,400 local homes and businesses located a minimum of 1,000m from any proposed onshore infrastructure. The wider consultation zone included coverage of the host local authorities with all neighbouring ‘A’ authorities. Consultation activities that took place in the core and wider consultation zones are detailed in Section 8 of the consultation report.</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. All responses to the draft SoCC and how the Applicant had regard to them in the final version of the SOCC are detailed in Table 7-2 of the Consultation Report.</p>

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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 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>Changes made in response to the draft SoCC consultation are detailed in Table 7-2 in Section 7 of the Consultation Report. These included:</p> <ul style="list-style-type: none"> •Extending the Core Consultation Zone from 500 metres to 1000 metres from any onshore infrastructure. •Using paid-for social media to target postcodes within the Core Consultation Zone.
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; 	<p>Suggestions were also made to the Applicant’s Draft SoCC Appendix of Hard-to-Reach Groups, included within Appendix 8: Section 47, Duty to Consult Local Community –Statement of Community Consultation. Suggested additional groups were included in the final list and are detailed within Section 5 of the Consultation Report.</p>

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	<ul style="list-style-type: none"> • 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. 	
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 in Section 6 of the Consultation Report, 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. See Section 6 and 13 of the Consultation Report for details regarding ongoing meetings with local authorities.</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 Applicant endeavoured to respond to all issues or concerns raised following consultation on the Draft Statement of Community Consultation. However, the Applicant was unable to advertise its consultation in Citizen Magazine, as was requested by Norwich City Council, as it was not being published due to Covid 19 implications. Despite this, the Applicant was confident that the list of publications identified in Section 8.4.2 and</p>

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		<p>Section 8.4.4 to publicise its section 47 consultation was effective in covering its wider consultation zone.</p>
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>All relevant local authorities provided a response to the draft SoCC as described in Section 7 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 ‘B’ and ‘C’ host Authorities (in which the proposed development is located), and neighbouring ‘A’ and ‘D’ authorities, in the pre-application stage and subsequently through the various stages of the Environmental Impact Assessment, as detailed in Section 6 and Section 13 of the Consultation Report. The Applicant consulted the ‘B’ and ‘C’ host authorities on the draft SoCC on 21 May 2020.</p>
	<p>“Local authorities will be able to provide an informed opinion on a wide number of</p>	<p>Engagement with local authorities has been undertaken since the inception of SEP and DEP, with a continuous programme of meetings tailored to ensure the project</p>

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	<p>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>benefits from valuable input and agreements, as detailed in Section 6 and Section 13 of the Consultation Report.</p> <p>In respect of the detailed design phase of SEP and DEP, aspects of the project will be developed and approved post-consent with local authorities.</p>
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>At the point of submitting the application there are no Statements of Common Ground. However, the Applicant is in ongoing dialogue with local authorities and will progress formal Statements of Common Ground as appropriate during the examination period.</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</p>	<p>The Applicant has consulted with those who own, occupy or have an interest in the land (See Appendix 22). Dialogue with landowners continued past formal statutory</p>

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	<p>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>consultation to progress agreements. Details of the consultation with landowners is provided in Sections 6, 9 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 Sections 1 and 12 of the Consultation Report.</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 the Book of Reference (document reference: 4.1) is up to date at the time of submission.</p>
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</p>	<p>A request was made to the Land Registry to provide details of any changes in ownership. Where new land interests have been identified the interest has been contacted so that they have the opportunity to make their views known on the application.</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 SEP and DEP. However, the Applicant also considers that diligent inquiry is an ongoing process in which the information obtained</p>

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	<p>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 rises 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>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 SEP and DEP.</p> <p>Eight new land interests were identified during a refresh of HMLR data undertaken immediately prior to the submission of the Application. The land interests were written to on 12 August 2022 to advise that the land in which their interest was held was to be included in the Application and that they would be notified of when in the process they would be able to provide comments on the submissions. A copy of the letter sent is included in Appendix 16</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 Section 42), these were consulted as part of one additional round of targeted statutory consultation. This targeted consultation is detailed within Section 9 of the consultation report.</p> <p>Eight new land interests were identified during a refresh of HMLR data undertaken immediately prior to the submission of the Application. The land interests were written to on 12 August 2022 to advise that the land in which their interest was held was to be included in the Application and that they would be notified of when in the process they would be able to provide comments on the submissions. A copy of the letter sent is included in Appendix 16</p>

Ref	Requirement	Compliance
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 09 July 2020 to communicate how the approach to pre- application consultation would be undertaken with the community. The Applicant then sent a Community Consultation Leaflet, to all properties in the consultation area on 09 July 2020 publicising the first round of community consultation from 09 July 2020 – 20 August 2020. 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 pre-application process 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 Section 1 and 11 of the Consultation Report and in Appendix 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 Appendix 8: Section 47, Duty to Consult Local Community –Statement of Community Consultation.</p>

Ref	Requirement	Compliance
		<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"> •Bespoke digital engagement platform; •Bespoke virtual exhibition; •Promoted social media posts; •Notices available at 35 local information points and 8 community access points; •Mailouts to a consultation area of over 11,400 local properties and businesses with a feedback form and envelope enclosed to be returned free of charge; •5 online and telephone community drop in sessions; •Local media engagement and advertising; •Freephone information line; •Freepost address; •Email address; and •Information posters.
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</p>	<p>Section 6 of the SoCC (see Appendix 8: Section 47 Duty to Consult Local Community –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>

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	<p>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>In the Phase One consultation leaflet and Phase Two consultation leaflet and the virtual exhibition boards (see Appendix 7: Phase One Section 47 Statutory Community Consultation (09 July - 20 August 2020) Outputs and Appendix 12: Phase Two Statutory Community Consultation (29 April – 10 June 2021) Outputs) the aspects of the project that had been settled on were clearly laid out and explained. Outstanding areas of refinement for the project were also explained to inform communities of which aspects of SEP and DEP will be further developed within the DCO application.</p> <p>Accessible high-level summaries of EIA information were provided as virtual exhibition boards and information sheets during both phases of consultation for interested individuals (see Appendix 7: Phase One Section 47 Statutory Community Consultation (09 July - 20 August 2020) Outputs and Appendix 12: Phase Two Statutory Community Consultation (29 April – 10 June 2021) Outputs). 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 upon request.</p>
56	<p>“Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the</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</p>

Ref	Requirement	Compliance
	<p>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>number of consultees from the wider area, as detailed in Section 8 of the Consultation Report.</p> <p>The Applicant defined a core consultation zone and a wider consultation (as defined in section 5 of the consultation report), in order to proportionately engage with communities living in the vicinity of the land. The core consultation zone included over 11,400 local homes and businesses that are located a minimum of 1,000m from the onshore infrastructure associated with SEP and DEP. The wider consultation zone extended to neighbouring ‘D’ authorities. Consultation activities with the core and wider consultation zones were proportionate, as detailed in Chapter 8 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>Electronic of the SoCC were issued to the local authorities, and parish councils. The SoCC was available to view on the project website at all times throughout consultation, and available in hard copy format free of charge upon request. This included versions of the SoCC in large print, audio and braille.</p> <p>Due to the Covid 19 pandemic the Applicant was unable to make the SoCC available for viewing at local deposit points such as libraries and council offices as a result of document hosting restrictions. However, the SoCC was made readily available to all stakeholders upon request free of charge.</p>

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		<p>The SoCC outlined the consultation process for SEP and DEP and the indicative details of the phase one consultation. It contained the details and dates of consultation that were publicised across the consultation area (See Appendix 8: Section 47 Duty to Consult Local Community – 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 Appendix 11: Section 48 Notice) in two consecutive rounds of local media advertisements in two local papers as follows:</p> <ul style="list-style-type: none"> • North Norfolk News: <ul style="list-style-type: none"> ○ 22 April 2021 ○ 29 April 2021 • Eastern Daily Press <ul style="list-style-type: none"> ○ 22 April 2021 ○ 28 April 2021 <p>The publication schedule of the s.48 notices is provided in this document and in Section 10 of the Consultation Report.</p>
61	<p>“Applicants have a statutory duty to consult any local authority in whose land a project is sited. So, where an offshore project also features land-based development, the</p>	<p>The Applicant consulted the following local authorities within which the proposed development is located, on the draft SoCC:</p> <ul style="list-style-type: none"> • Broadland District Council

Ref	Requirement	Compliance
	<p>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 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>	<ul style="list-style-type: none"> •North Norfolk District Council •South Norfolk Council •Norwich City Council •Norfolk County Council <p>Norwich City Council was subsequently removed as a host local authority following refinement of the onshore project boundary.</p> <p>Ahead of Phase Two section 47 community consultation, the Applicant wrote to additional local authorities on a precautionary basis and welcomed comments to the approach to consultation. Additional local authorities were identified following an increased understanding of visual impacts that could affect their locality, or due to possible local impacts from the shortlisted main construction compound sites. The following local authorities were engaged on the approach to consultation:</p> <ul style="list-style-type: none"> • Breckland District Council; • East Lindsey District Council; • South Holland District Council; • Broads Authority; and • Boston Borough Council.
63	<p>“Applicants should ensure they consider all the potential impacts on communities which</p>	<p>The Applicant has undertaken an Environmental Impact Assessment for SEP and DEP. The assessments are</p>

Ref	Requirement	Compliance
	<p>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>presented in the Environmental Statement, that accompanies the application.</p>
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. Appendix 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</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 and newsletters. 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, and newsletters.</p>

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	local authorities and communities will dictate the degree and depth of consultation required. [...]"	A summary of all responses received and how these have been considered in the final application is provided in Section 1.3 of the Consultation Report.
66	"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."	The Applicant has taken a pragmatic approach to consultation. Proportionate 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.
67	"...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.	The Applicant has consulted and continues to engage with the MMO, See Section 6 and Section 13 of the Consultation Report. The Applicant's approach to transboundary consultation is detailed in Section 4 of the Consultation Report.

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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 and members of the local community. Early on it was stated that more information would be made available as the project developed. See section 5 of the SoCC, available in Appendix 8: Section 47 Duty to Consult Local Community –Statement of Community Consultation.</p> <p>Consultation on early-stage proposals was undertaken during phase one consultation. This allowed for consultees a real opportunity to influence proposals. Evidence of how the Applicant has had regard to comments received during phase one consultation is included in Section 11 of the consultation report, and in Appendix 3: Applicant Regard to Section 47 Consultation Responses.</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. Expect Topic Group 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>

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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>As detailed in Section 8 of the Consultation Report, the Applicant adopted an iterative, phased approach to consultation for SEP and DEP, which consisted of two rounds of community consultation events across two broad phases.</p> <p>The Applicant also undertook ongoing consultation between phases of consultation, including ongoing stakeholder meetings to encourage greater participation from across the community. For example, a parish council stakeholder forum was established to discuss interest areas for parish councils. See Section 8 of the Consultation Report.</p> <p>The Applicant also attended multiple individual parish council meetings, as detailed in Section 6 and Section 14 of the Consultation Report.</p> <p>Adopting a similar approach to the consultation with s.42 consultees, the Applicant commenced early engagement with technical consultees dating back to July 2019 with the first Expert Topic Working Group (ETG) steering group meeting. The series of ongoing engagement from 2019 through to reaching formal consultation in April 2021 is demonstrated in Appendix 01 - Evidence Plan of this Consultation Report and other ongoing engagement with technical consultees outside of the Evidence Plan Process (EPP) is shown in Sections 6.3 and 14.3 of the Consultation Report (document reference 5.1)</p>

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		<p>The Applicant undertook a round of targeted onshore consultation that sought feedback on the refined main compound location(s) and changes to the onshore project boundary. The consultation commenced on 06 January 2022 and closed on 16 February 2022. See Section 13.1 of the Consultation Report for more information.</p> <p>The Applicant undertook a round of targeted offshore consultation that sought feedback on the changes to the offshore DCO order limits to accommodate an area for temporary working. The consultation commenced on 06 April 2022 and closed on 18 May 2022. See Section 13.2 of the Consultation Report for more information.</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 29 April and 10 June 2021 and the additional round of targeted consultation between 06 January 2022 and 16 February 2022.</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 land interests it also gave people the opportunity to provide feedback to</p>

Ref	Requirement	Compliance
		<p>the Applicant. See Appendices 1 and 4 of the Statement of Reasons (document reference 4.3) for more information.</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 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.”</p>	<p>The Applicant complied with the statutory minimum for all rounds of consultation (whether these were being conducted on a statutory basis or not). Recognising 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> <ul style="list-style-type: none"> • S.47 Phase One consultation <ul style="list-style-type: none"> ○ 09 July – 20 August 2020 • S. 47 Phase Two consultation <ul style="list-style-type: none"> ○ 29 April – 10 June 2021 • S.42 consultation <ul style="list-style-type: none"> ○ 29 April – 10 June 2021 • S.48 consultation <ul style="list-style-type: none"> ○ 29 April – 10 June 2021 • Targeted Onshore Consultation <ul style="list-style-type: none"> ○ 06 January – 16 February 2022

Ref	Requirement	Compliance
		<ul style="list-style-type: none"> • Targeted Offshore Consultation <ul style="list-style-type: none"> ○ 06 April – 18 May 2022
73	<p>“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>	<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 2008 Act and following statutory Section 42 consultation.</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	<p>“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>	<p>The targeted onshore consultation sought feedback on the refined main compound location(s) and changes to the onshore project boundary. The consultation with Section 44 stakeholders was undertaken on a statutory basis as a result of changes to the red line boundary. The remaining consultation, specifically targeted with regards to the main compound location(s), was undertaken on a non-statutory basis with selected prescribed and non-prescribed Section 42 consultees. The consultation commenced on 06 January 2022 and closed on 16 February 2022.</p>
75	<p>“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>	

Ref	Requirement	Compliance
76	<p>“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>	<p>The targeted offshore consultation sought feedback on the changes to the offshore DCO order limits to accommodate an area for temporary working. The consultation was carried out on a targeted non-statutory basis with selected prescribed and non-prescribed Section 42 consultees. The consultation commenced on 06 April 2022 and closed on 18 May 2022.</p>
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>Consultation Report (document reference 5.1) 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; 	<p>References to the relevant sections of the Consultation Report are provided below:</p> <ul style="list-style-type: none"> • A description of the consultation process, including a timeline is provided in Section 1 of the Consultation Report; • This is noted throughout the Consultation Report detailed in full in Appendix 2: Consultation Compliance Checklist;

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	<ul style="list-style-type: none"> • 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; 	<p>Section 7 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 Appendix 8: Section 47 Duty to Consult Local Community – Statement of Community Consultation);</p> <ul style="list-style-type: none"> • 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 Section 1 of the Consultation Report; • A summary of responses received to the project and how the Applicant had regard to these is provided in Section 11 and 12 of the consultation report. Appendix 3: Applicant Regard to Section 47 Consultation Responses and Appendix 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.

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	<ul style="list-style-type: none"> • 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.” 	<ul style="list-style-type: none"> • As part of the responses provided to feedback, in Appendix 3: Applicant Regard to Section 47 Consultation Responses and Appendix 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 Section 1 of the Consultation Report. • 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 Appendix demonstrates how the Applicant has complied with these requirements and in each chapter of the Consultation Report with a statement of compliance.
81	“It is good practice that those who have contributed to the consultation are informed of the results”	If the application is accepted, the Applicant intends to notify all parties that have contributed to the consultation

Ref	Requirement	Compliance
		<p>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 (Appendix 7: Phase One Section 47 Statutory Community Consultation (09 July - 20 August 2020) Outputs and Appendix 12: Phase Two Statutory Community Consultation (29 April – 10 June 2021) Outputs). These reports provided a high-level overview of the feedback received at each stage.</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 1: Environmental Statement that accompanies the application. The Consultation Report (document reference 5.1) 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 Appendix 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 (Appendix 7: Phase One Section 47 Statutory Community Consultation (09 July - 20 August 2020) Outputs and Appendix 12: Phase Two Statutory Community Consultation (29 April – 10 June 2021) Outputs) to notify consultees of how feedback received was being taken into account in the development of the Project.</p> <p>Following the Phase Two Section 47 consultation, the Applicant provided direct updates to locally elected members by way of bespoke briefing meetings. A summary of these meetings is provided in Section 6 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 Appendix 13: 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>

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		<p>The Applicant will also engage with consultation bodies throughout the application phase, along with ongoing engagements with SoCGs.</p>
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 SEP and DEP is ‘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 Section 9 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</p>	<p>The Applicant has prepared the Environmental Statement, and the Report to Inform Appropriate Assessment under the Habitats Regulations (document reference 5.4).</p>

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	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.”	
96	“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>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 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 Section 4 of the Consultation Report).</p> <p>See the Record of HRA Derogation Consultation (document reference 5.5.1.4) for a detailed account of all the consultation undertaken in relation to Applicant’s HRA derogation case and specifically in the development of compensatory measures.</p>
Overarching National Policy Statement for Energy 2011 (EN-1)		
4.3.1	“The applicant should seek the advice of Natural England...[in relation to the Appropriate Assessment under the Habitats and Species Regulations]”	The Applicant engaged with and formally consulted Natural England. See Appendix 1: Evidence Plan Appendix 4: Applicant Regard to Section 42 Consultation Responses, Appendix 6: Consultees Consulted under S42 of Planning Act 2008, and Annex

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		1D Record of HRA Derogation Consultation (document reference 5.5.1.4).
4.10.4	“Applicants should consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by s.23 of the Marine and Coastal Access Act 2009).”	The Applicant engaged with and formally consulted the MMO. See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008 .
4.11.1	“ Applicants should consult with the Health and Safety Executive (HSE) on matters relating to safety.”	The Applicant formally consulted the HSE. See Appendix 6: Consultees Consulted under S42 of Planning Act 2008 .
5.1.4	“Applicants must also ensure they consult the relevant bodies about their proposed applications in accordance with section 42 to 44 of the Planning Act 2008 and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.”	See Appendix 6: Consultees Consulted under S42 of Planning Act 2008 and Appendix 22: S44 Stakeholder List for consultees consulted under Section 42 and 44 of the Planning Act 2008 respectively. Compliance with the requirements of section 42 and section 44 of the 2008 Act and the APFP Regulations are set out above in this table.
5.4.11	“The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development...”	The Applicant formally consulted the MoD, CAA, NATs. See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008
5.13.3	“Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation”	The Applicant formally consulted Norfolk County Council as the relevant highways authority and Highways England (now National Highways). See Appendix 1: Evidence

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		Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
5.11.7	“The applicant should consult EA and Natural England (NE), or the Countryside Council for Wales (CCW), as necessary and in particular with regard to assessment of noise on protected species or other wildlife”	The Applicant formally consulted the EA and NE. See Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
National Policy Statement for Renewable Energy Infrastructure 2011 (EN-3)		
2.6.127	“Early consultation should be undertaken with statutory advisors and with representatives of the fishing industry which could include discussion of impact assessment methodologies. Where any part of a proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted.”	The Applicant engaged with the fishing industry and inshore fisheries groups on both a statutory and non-statutory basis. See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008 and Appendix 28 Fisheries Communication Log.
2.6.131	“Applicants should consult the Maritime and Coastguard Agency (MCA)”	The Applicant formally consulted the MCA. See Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
2.6.140	“Consultation with the relevant statutory consultees (including English Heritage or Cadw) should be undertaken by the applicants at an early stage of the development.”	The Applicant engaged with and formally consulted with Historic England (formally English Heritage). See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
2.6.154	“Assessment should be underpinned by consultation with the MMO, Maritime and Coastguard Agency (MCA), the relevant	The Applicant engaged with and consulted formally with a variety of maritime stakeholders including the MMO, MCA, and RYA. See Appendix 1: Evidence Plan and

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	General Lighthouse Authority, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected.”	Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
2.6.191	“The Environment Agency (EA) regulates emissions to land, air and water out to 3nm. Where any element of the wind farm or any associated development included in the application to the IPC is located within 3nm of the coast, the EA should be consulted at the pre-application stage.”	The Applicant engaged with consulted formally with the EA. See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
2.6.192	“Beyond 3nm, the MMO is the regulator. The applicant should consult the MMO and the Centre for Environment, Fisheries & Aquaculture Science (CEFAS) on the assessment methodology for impacts on the physical environment at the pre-application stage.”	The Applicant engaged with and consulted formally with the MMO and CEFAS. See Appendix 1: Evidence Plan and Appendix 6: Consultees Consulted under S42 of Planning Act 2008.
The Planning Inspectorate Advice Note Three: EIA Consultation and Notification 2017		
1.1	<p>“Consultation bodies are defined under Regulation 3(1) of the EIA Regulations as:</p> <ul style="list-style-type: none"> • a body prescribed under s42(1)(a) of the PA2008 (duty to consult) and listed in column 1 of the table set out at Schedule 1 to the APFP Regulations where the circumstances set out in 	<p>The Applicant consulted all necessary bodies prescribed under S42(1)(a) of the Planning Act listed in column 1 of the table set out at Schedule 1 to the APFP Regulations, which is evidenced above in this table.</p> <p>The Applicant consulted all necessary S43 consultees, which is evidenced above in this table.</p>

Ref	Requirement	Compliance
	<p>column 2 are satisfied in respect of that body (referred to as 'prescribed consultees' within this Advice Note');</p> <ul style="list-style-type: none"> each authority that is within s43 of the PA2008 (local authorities for purposes of s42(1)(b)) (referred to as 's43 local authorities' within this Advice Note')." 	<p>See Appendix 6: Consultees Consulted under S42 of Planning Act 2008.</p>
2.1	<p>"Regulation 11(1)(c) of the EIA Regulations relates to particular person(s) whom the Planning Inspectorate considers "to be, or to be likely to be, affected by, or to have an interest in" a Proposed Development and who are "unlikely to become aware of the proposed development by means of the measures taken in compliance with Part 5 (applications for orders granting development consent) of the Act"."</p>	<p>The Applicant consulted all consultees listed by the Planning Inspectorate under Regulation 11(1)(c) of the EIA Regulations. See Appendix 6: Consultees Consulted under S42 of Planning Act 2008.</p>
2.2	<p>Applicants will need to have regard to the requirements imposed under the EIA Regulations with regard to notifying and consulting Regulation 11(1)(c) persons. (EIA Regulations 13, 16, 19, 20, 22 and 24 also refer to notification requirements with regard to Regulation 11(1)(c) persons.)</p>	<p>The Applicant provided a copy of the notice publicised in accordance with Section 48 of the 2008 Act under Phase Two (see Appendix 7: Notification to Section 42 Consultees of Section 42 Consultation (29 April – 10 June 2021)) to all Section 42 consultees and non-prescribed bodies.</p>
4.1	<p>The Applicant for a Proposed Development is required under Regulation 8 of the EIA Regulations to either notify the Planning</p>	<p>The Applicant submitted a Scoping Report to the Planning Inspectorate on 08 October 2019, confirming that it intended to provide an Environmental Statement in</p>

Ref	Requirement	Compliance
	<p>Inspectorate in writing that they propose to provide an ES in respect of the Proposed Development (a 'Regulation 8 notification') or request a screening opinion from the Planning Inspectorate, before carrying out pre-application consultation under s42 of the PA2008 (Regulation 8(1) of the EIA Regulations).</p>	<p>respect of SEP and DEP pursuant to Regulation 8(1)(b) and requested a scoping opinion, pursuant to Regulation 10(1).</p>
5.1	<p>Regulation 10 of the EIA Regulations enables a person to seek an opinion from the Planning Inspectorate acting on behalf of the SoS on the information to be included in an ES (a 'scoping opinion'). Before adopting a scoping opinion the Planning Inspectorate must, under Regulation 10(6) of the EIA Regulations, consult the consultation bodies.</p>	
<p>The Planning Inspectorate Advice Note 7: Environmental Impact Assessment 2020</p>		
8.1	<p>“As part of their pre-application consultation duties, Applicants are required to prepare a Statement of Community Consultation (SoCC). This sets out how the local community will be consulted about the Proposed Development, in accordance with section 47 of the PA2008 The SoCC must state whether the Proposed Development is</p>	<p>The Applicant prepared a Statement of Community Consultation (SoCC). See Appendix 8: Section 47 Duty to Consult Local Community - Statement of Community Consultation. The SoCC sets out that an EIA would be undertaken and that a PEIR would be published and consulted on during the Section 47 Phase</p>

Ref	Requirement	Compliance
	EIA development and, if it is, how the Applicant intends to publicise and consult on PEI (Regulation 12 of the EIA Regulations 2017)."	Two and Section 42 Consultation (see Section 7 of the Consultation Report).
The Planning Inspectorate Advice Note 14: Compiling the Consultation Report 2021		
1.1	<p>An application for a Development Consent Order (DCO) must include a Consultation Report, which describes the consultation process carried out by the Applicant prior to submission of the application. It should demonstrate how the Applicant's pre-application duties set down in the Planning Act 2008 (the PA2008) have been complied with. The Consultation Report should include information and evidence about:</p> <ul style="list-style-type: none"> • Who was consulted and how the consultation was carried out; • how, and when, the project was publicised; and • how the responses were taken into account. 	<p>A Consultation Report (document reference 5.1) has been included as part of the DCO application.</p> <p>The report contains information regarding who was consulted (Section 5), how the consultation was carried out (Sections 6,7,8,9,13 and 14), how and when the project was publicised (Section 10), and how responses were taken into account (Sections 11,12 and 13).</p>
Defra: Best practice guidance for developing compensatory measures in relation to Marine Protected Areas (2021)		
35	"Applicants should recognise the possible need for compensation early on in the process and should discuss all potential compensatory	The Applicant has given early and detailed consideration to the requirement for compensatory measures and has consulted with a range of stakeholders at regular intervals

Ref	Requirement	Compliance
	<p>measures with the responsible authority at an early stage of development. These discussions will be exploratory in nature to assist the Applicant in demonstrating the potential efficacy and feasibility of compensatory measures to regulators. It is not the responsibility of the responsible authority to provide options for potential compensatory measures, but it can provide guidance on which activities may be considered to be sufficient in terms of compensation.”</p>	<p>throughout the pre-application process. Feedback from the consultation has been used to shape the development of the compensatory measures.</p> <p>A detailed record of engagement is provided within Annex 1D: Record of HRA Derogation Consultation (document reference 5.5.1.4), the Consultation Report (document reference 5.1) and its supporting appendices, namely the Evidence Plan Terms of Reference (document reference 5.2.1), including Expert Topic Group (ETG) meeting minutes and agreement logs.</p>

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