

Indaver Rivenhall IWMF DCO

Planning Act 2008

Infrastructure Planning (Applications: Prescribed Forms and Procedure)

Regulations 2009

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CONSULTATION REPORT APPENDIX H - COMPLIANCE WITH LEGISLATION, GUIDANCE AND SOCC

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Indaver Rivenhall Ltd

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Appendix H-1: Compliance Checklist

Table 1 - Statutory requirements for pre-application consultation

Statutory Source	Requirement	Compliance / Further Information
Consultation with statutory consultees		
Section 42(1)(a) 2008 Act; and Regulation 3 and column 1 of Schedule 1 of APFP Regulations	"The applicant must consult the following about the proposed application—[...] such persons as may be prescribed" "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 [the APFP Regulations], who must be consulted in the circumstances specified in relation to each such person in column 2 of that table"	The Applicant consulted with the prescribed bodies pursuant to Section 42(1)(a) of the Planning Act 2008, as set out in Sections 6 and 7 of the Consultation Report. Appendix D of the Consultation Report sets out the list of S42 consultees.
Section 42(1)(aa) 2008 Act	"The applicant must consult the following about the proposed application—[...] the Marine Management Organisation, in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection (2) ¹ "	The Proposed Development would not affect or be likely to affect the areas listed in Section 42(2) of the Planning Act 2008, and so the Marine Management Organisation was not consulted.
Sections 42(1)(b) and 43(1)-(2A) 2008 Act	"The applicant must consult the following about the proposed application—[...] each local authority that is within section 43 " "(1) A local authority is within this section if the land is in the authority's area. (2) A local authority ("A") is within this section if— (a) the land is in the area of another local authority ("B"),	The Applicant consulted with the relevant local authorities pursuant to Section 41(1)(b) of the Planning Act 2008, as set out in Sections 6 and 7 of the Consultation Report. Appendix D of the Consultation Report sets out the list of S42 consultees.

¹ Section 42(2) of the 2008 Act states: "*The areas are—(a) waters in or adjacent to England up to the seaward limits of the territorial sea; (b) an exclusive economic zone, except any part of an exclusive economic zone in relation to which the Scottish Ministers have functions; (c) a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions; (d) an area designated under section 1(7) of the Continental Shelf Act 1964, except any part of that area which is within a part of an exclusive economic zone or Renewable Energy Zone in relation to which the Scottish Ministers have functions.*"

Statutory Source	Requirement	Compliance / Further Information
	<p>(aa) B is a unitary council or a lower-tier district council, and</p> <p>(b) any part of the boundary of A's area is also a part of the boundary of B's area.</p> <p>(2A) If the land is in the area of an upper-tier county council ("C"), a local authority ("D") is within this section if—</p> <p>(a) D is not a lower-tier district council, and</p> <p>(b) any part of the boundary of D's area is also part of the boundary of C's area."</p>	
Section 42(1)(c) 2008 Act	"The applicant must consult the following about the proposed application—[...] the Greater London Authority if the land is in Greater London"	The land within the Order Limits for the Proposed Development does not fall within London, so the Applicant did not consult the Greater London Authority.
Sections 42(1)(d) and 44 2008 Act	<p>"The applicant must consult the following about the proposed application—[...] each person who is within one or more of the categories set out in section 44"</p> <p>"(1) A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.</p> <p>(2) A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person—</p> <p>(a) is interested in the land, or</p> <p>(b) has power—</p> <p>(i) to sell and convey the land, or</p> <p>(ii) to release the land.</p> <p>[...]</p> <p>(4) A person is within Category 3 if the applicant thinks that, if the order sought by the proposed application were to be made and fully implemented, the person would or might be entitled—</p> <p>(a) as a result of the implementing of the order,</p>	<p>The persons identified under section 44 are as set out in the Land Owner and Interests Schedule (Doc Ref 4.1).</p> <p>The Applicant sent letters to the statutory consultees identified under Section 44 to set out the deadline for the receipt by the Applicant of any responses to the consultation. The Applicant consulted between 28th June and 23rd August 2023, which is longer than the minimum 28 days required by S54 of the Planning Act 2008.</p>

Statutory Source	Requirement	Compliance / Further Information
	<p>(b) as a result of the order having been implemented, or (c) as a result of use of the land once the order has been implemented, to make a relevant claim². This is subject to subsection (5). (5) A person is within Category 3 only if the person is known to the applicant after making diligent inquiry.</p>	
Section 45 2008 Act	<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. (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.³"</p>	<p>The Applicant sent letters to the statutory consultees identified under Section 42 to set out the deadline for the receipt by the Applicant of any responses to the consultation. The Applicant consulted between 28th June and 23rd August 2023, which is longer than the minimum 28 days required by S54 of the Planning Act 2008.</p> <p>The letter sent to S42 consultees can be found at Appendix D.</p>
Notification to Secretary of State		
Section 46 2008 Act	<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. (2) The applicant must comply with subsection (1) on or before commencing consultation under section 42."</p>	<p>The Applicant submitted a notification to the Planning Inspectorate on behalf of the Secretary of State on the day of commencement of the statutory consultation. This notification is available at Appendix F. This notification identified where information was made available to S42 consultees.</p>
Regulation 8 EIA Regulations	<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>Section 1.2 of the Scoping Report submitted to the Planning Inspectorate on 25th April 2023 confirmed the DCO application would be supported by an Environmental Statement (see</p>

² Section 44(6) of the 2008 Act defines "relevant claim" as: (a) a claim under section 10 of the Compulsory Purchase Act 1965; (b) a claim under Part 1 of the Land Compensation Act 1973; and (c) a claim under section 152(3).

³ Section 45(3) of the 2008 Act defines "the consultation documents" as "the documents supplied to the person by the applicant for the purpose of consulting the person".

Statutory Source	Requirement	Compliance / Further Information
	<p>(a) ask 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>[...]</p> <p>(3) A person making a request under paragraph (1)(a) must provide the following information—</p> <p>(a) a plan sufficient to identify the land;</p> <p>(b) a description of the development, including in particular—</p> <p>(i) a description of the physical characteristics of the whole development and, where relevant, of demolition works;</p> <p>(ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;</p> <p>(c) a description of the aspects of the environment likely to be significantly affected by the development; and</p> <p>(d) to the extent the information is available, a description of any likely significant effects of the development on the environment resulting from—</p> <p>(i) the expected residues and emissions and the production of waste, where relevant; and</p> <p>(ii) the use of natural resources, in particular soil, land, water and biodiversity.</p> <p>(3A) A person notifying the Secretary of State under paragraph (1)(b) must provide, at the same time as giving notification, the information listed in paragraph (3)(a) and (b)."</p>	<p>Environmental Statement Appendix 5.1). A PEIR was published to support the statutory consultation, which is supplied at Appendix E.</p>
Consultation with local community		
Section 47(1) 2008 Act	"The applicant must prepare a statement setting out how the applicant proposes to consult, about	The Applicant prepared a Statement of Community Consultation in January/February 2023, which was then

Statutory Source	Requirement	Compliance / Further Information
	the proposed application, people living in the vicinity of the land."	updated for issue in March 2023. The Statement of Community Consultation can be found at Appendix C.
Sections 47(2) and 43(1) 2008 Act	"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." "A local authority is within this section if the land is in the authority's area."	The Applicant consulted on the draft Statement of Community Consultation (SoCC) with the relevant local authorities (Braintree District Council and Essex County Council) twice; both with an initial draft and then on a complete draft. Section 6 of the Consultation Report provides an overview of the approach for the SoCC.
Section 47(3) 2008 Act	"The deadline for the receipt by the applicant of a local authority's response to consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents ⁴ ."	The relevant local authorities were contacted via email regarding the SoCC on 02 April 2023, notifying them of the commencement of the consultation on the draft version.
Section 47(5) 2008 Act	"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)."	Responses were received from Braintree District Council and Essex County Council. A detailed overview of how the Applicant had regard to the comments provided when finalising the SoCC is supplied at Appendix G.
Section 47(6)(za) 2008 Act	"Once the applicant has prepared the statement, the applicant must— (za) make the statement available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land"	The Applicant made the SoCC available for the public to inspect on the Rivenhall IWMF website (https://www.rivenhall-iwmf.co.uk/wp-content/uploads/2023/06/Indaver-Rivenhall-IWMF-DCO-Statement-of-Community-Consultation-SoCC.pdf) from 28 th June to 23 rd August 2023. Table 2 in Section 6 of the Consultation Report sets out the locations where hard copies of the SoCC were made available.
Section 47(6)(a) 2008 Act	"Once the applicant has prepared the statement, the applicant must—(a) publish, in a newspaper circulating in the vicinity of the land, a notice stating	The Applicant published a newspaper notice providing details of when and where the SoCC could be inspected. This

⁴ Section 47(4) of the 2008 Act defines "the consultation documents" as "the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2)".

Statutory Source	Requirement	Compliance / Further Information
	where and when the statement can be inspected"	notice is included at Appendix C of the Consultation Report.
Section 47(6)(b) 2008 Act	"Once the applicant has prepared the statement, the applicant must— publish the statement in such manner as may be prescribed."	The Applicant made soft copies of the SoCC available on its project website, and also provided hard copies at the locations set out in Table 3 of the Consultation Report (Doc Ref 5.1) .
Section 47(7) 2008 Act	"The applicant must carry out consultation in accordance with the proposals set out in the statement."	The Applicant undertook the statutory consultation in accordance with the approach set out in the SoCC. Compliance with the SoCC is demonstrated at Table 3 below and in Sections 6 and 7 of the Consultation Report (Doc Ref 5.1) .
Regulation 12(1) EIA Regulations	"The consultation statement prepared under section 47 (duty to consult local community) must set out— (a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and (b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information ⁵ ."	The Applicant stated in the SoCC that the Proposed Development is EIA development and that a Preliminary Environmental Information Report (PEIR) would be publicised and consulted on as part of the statutory consultation.
Publicity		
Section 48(1) 2008 Act	"The applicant must publicise the proposed application in the prescribed manner."	Appendix F of the Consultation Report demonstrates that the Applicant publicised the proposed application in accordance with S48 of the Planning Act 2008.
Regulation 4(2) APFP Regulations	"The applicant must publish a notice, which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application—	The Applicant publicised notices of the application in the Braintree and Witham Times on 29 th June and 6 th July 2023. The Applicant publicised the application in the Guardian on 28 th June 2023. The Applicant publicised the application in the

⁵ Regulation 12(2) of the EIA Regulations defines "preliminary environmental information" to mean "information referred to in regulation 14(2) which— (a) has been compiled by the applicant; and (b) is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development)."

Statutory Source	Requirement	Compliance / Further Information
	<p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development—</p> <p>(i) once in Lloyd's List; and</p> <p>(ii) once in an appropriate fishing trade journal."</p>	<p>London Gazette on 28th June 2023. These notices are supplied within Appendix F.</p>
<p>Regulation 4(3) APFP Regulations</p>	<p>"The matters which the notice must include are—</p> <p>(a) the name and address of the applicant;</p> <p>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;</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 on a website maintained by or on behalf of the applicant;</p> <p>(ea) the address of the website where the documents, plans and maps may be inspected;</p> <p>(eb) the place on the website where the documents, plans and maps may be inspected;</p> <p>(ec) a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps;</p> <p>(f) the latest date on which those documents, plans and maps will be</p>	<p>The aforementioned notices contain the prescribed details, as set out in Appendix F.</p>

Statutory Source	Requirement	Compliance / Further Information
	<p>available for inspection on the website (being a date not earlier than the deadline in sub-paragraph (i)); (g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge; (h) details of how to respond to the publicity; and (i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published."</p>	
Regulation 13 EIA Regulations	<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 bodies⁶ and to any person notified to the applicant in accordance with regulation 11(1)(c)."</p>	<p>The Applicant included a copy of the S48 notice in the letters provided to S42 consultees, which confirmed that the Proposed Development is EIA development.</p>

Duty to take account of responses

Section 49(2) 2008 Act	<p>"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 responses⁷."</p>	<p>The Applicant has had regard to all relevant responses received to the statutory consultation, as set out in Appendix G of the Consultation Report.</p>
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Guidance about the pre-application process

Section 50(3) 2008 Act	<p>"The applicant must have regard to any guidance under this section."</p>	<p>The Applicant has had regard to all guidance published under Section 50(3)</p>
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⁶ Regulation 3(1) of the EIA Regulations defines "the consultation bodies" to mean: "(a) a body prescribed under section 42(1)(a) (duty to consult) and listed in column 1 of the table set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 where the circumstances set out in column 2 of that table are satisfied in respect of that body; (b) each authority that is within section 43 (local authorities for purposes of section 42(1)(b)); and (c) if the land to which the application, or proposed application, relates or any part of that land is in Greater London, the Greater London Authority".

⁷ Section 49(3) of the 2008 Act defines "relevant response" to mean: "(a) a response from a person consulted under section 42 that is received by the applicant before the deadline imposed by section 45 in that person's case, (b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or (c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity."

Statutory Source	Requirement	Compliance / Further Information
	<p>'Planning Act 2008: Guidance on the Pre-Application Process' was published by the former Department for Communities and Local Government in March 2015 under section 50(3) of the 2008 Act.</p> <p>'Guidance on procedural requirements for major infrastructure projects' was published by the former Ministry of Housing, Communities and Local Government in July 2020. To the extent that this applies to the pre-application process stage, the guidance is statutory pursuant to section 50 of the 2008 Act.</p>	<p>of the Planning Act 2008 as detailed in Table 2 below.</p>

Table 2 - Guidance on pre-application consultation

Paragraph no.	Extract from Guidance	Compliance / Further Information
Planning Act 2008: Guidance on the Pre-application Process		
17	"When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for purposes of consultation."	The SoCC identifies the information available for consultation. The documents themselves were written to clearly establish their purpose to inform consultees about the Proposed Development.
18	"Early involvement of local communities, local authorities and statutory consultees can bring about significant benefits for all parties"	The Applicant engaged with the local authorities, Planning Inspectorate and IWMF Site Liaison Group at the inception of the Proposed Development in 2021 and from 2022 onwards has since undertaken regular engagement in the lead up to the submission of the application. Table 1 of the Consultation Report provides a summary of the engagement activities undertaken.
19	"The pre-application consultation process is crucial to the effectiveness of the major infrastructure consenting regime. A thorough process can give the Secretary of State confidence that issues that will arise during the six months examination period have been identified, considered, and – as far as possible – that applicants have sought to reach agreement on those issues."	The Applicant has undertaken a programme of extensive statutory and non-statutory consultation, as well as regular meetings with key local stakeholders and the relevant local authorities. The Applicant has had regard to all feedback received, as set out in Appendix G of the Consultation Report.
20	"Experience suggests that, to be of most value, consultation should be: <ul style="list-style-type: none"> • based on accurate information that gives consultees a clear view of what is proposed including any options; • shared at an early enough stage so that the proposal can still be influenced, 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>The consultation documents provided details of the Proposed Development and sought consultees' views on the proposal, as well as seeking views on where consultees sought provision of further information.</p> <p>The consultation documents were written using non-technical language and a non-technical summary of the PEIR was provided to aid consultation. Images were used to aid explanation. Consultees were encouraged to provide their feedback through a public-friendly feedback form.</p>
24	"The Government recognises that major infrastructure projects and the	The Applicant recognised the prominence of the IWMF within the local

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>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>community and so endeavoured to hold consultation events in multiple local venues in different settlements, and to make documents available in a number of locations so that any potential consultee would have access to the information being consulted upon. This community-led approach also governed the engagement with the Site Liaison Group, where information regarding the Proposed Development was presented and discussed.</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 industry protocols that can be adapted. Larger, more complex applications are likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. Many proposals will require detailed technical input, especially regarding impacts, so sufficient time will need to be allowed for this. Consultation should also be sufficiently flexible to respond to the needs and requirements of consultees, for example where a consultee has indicated that they would prefer to be consulted via email only, this should be accommodated as far as possible."</p>	<p>The Applicant worked closely with the local authorities in the drafting of the SoCC to establish the overall approach and scale of consultation, ensuring proportionality. The choice of information and feedback formats, venue locations and dates of community events provided by the Applicant allowed for flexibility. The Applicant sought to ascertain preferred methods of contact and to allow for feedback to be received in different ways to meet the requirements of consultees. As the statutory consultation was being held in the summer, the consultation timeframe was also significantly extended beyond the minimum 28 days required to allow for further time for consultees to respond.</p>
26-27	<p>"The Planning Act requires certain bodies and groups of people to be consulted at the pre-application stage, but allows for flexibility in the precise form that consultation may take depending on local</p>	<p>Appendix D details the consultees for the purposes of S42 of the Planning Act 2008.</p> <p>The Applicant engaged with the Site Liaison Group on matters relating to the</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>circumstances and the needs of the project itself. ...In addition, applicants may also wish to strengthen their case by seeking the views of other people who are not statutory consultees, but who may be significantly affected by the project."</p> <p>"The Planning Act and Regulations set out the statutory consultees and prescribed people who must be consulted during the pre-application process. Many statutory consultees are responsible for consent regimes where, under Section 120 of the Planning Act, decisions on those consents can be included within the decision on a Development Consent Order. Where an applicant proposes to include non-planning consents within their Development Consent Order, the bodies that would normally be responsible for granting these consents should make every effort to facilitate this. They should only object to the inclusion of such nonplanning consents with good reason, and after careful consideration of reasonable alternatives. It is therefore important that such bodies are consulted at an early stage. In addition, there will be a range of national and other interest groups who could make an important contribution during consultation. Applicants are therefore encouraged to consult widely on project proposals."</p>	<p>Proposed Development and the Application. Further information on the Site Liaison Group is provided in Section 4 of the Consultation Report (Doc Ref 5.1).</p> <p>The SoCC provides for the strategy to engage with 'hard to reach' groups and any additional parts of the local community. Sufficient flexibility was built into the approach to consultation to allow for any changes to local circumstances (e.g. availability of venues) but also to reflect the needs of the Proposed Development itself. Through consultation with the host authorities and the Site Liaison Group, no hard to reach groups were identified.</p>
28	<p>"From time to time a body may cease to exist but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original</p>	<p>Not applicable.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>body. 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>	
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. Early engagement with these bodies can help avoid unnecessary delays and the costs of having to make changes at later stages of the process. It is equally important that statutory consultees respond to a request for technical input in a timely manner. Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs"</p>	<p>ES Vol. 1, Chapter 5: Consultation (Doc Ref 6.1) provides details of the engagement undertaken with expert bodies in relation to technical matters.</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>The Applicant was keen to consult with those who were not necessarily located within the local area. The SoCC details how focused consultation events and activities were undertaken locally within the Local Community Consultation Zone. However the Applicant published notices in the local newspaper, the Guardian and the London Gazette provided information regarding the consultation to a much larger audience.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
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 has undertaken engagement with the local authorities from late 2022 onwards, including engagement on the SoCC through early 2023. This is a longer timescale than the 28 days established for statutory consultation in the Planning Act 2008.</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>No issues or concerns were raised by the local authorities that the Applicant felt unable to address.</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 them 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 engaged with the local authorities regularly between inception and submission of the DCO application. Details of the informal engagement alongside the statutory engagement with local authorities is set out in Table 1, and Sections 4, 6 and 7 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 categorises those land interests) is up to date at the time of submission."</p>	<p>The Applicant has provided a Book of Reference to support the application, which provides details of the land interests. The Applicant also undertook investigations to establish if there were any further land interests affected by the Proposed Development in the lead-up to submission of the application.</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</p>	<p>Not applicable.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination."</p>	
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>	Not applicable.
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>As set out in Section 4 of the Consultation Report, the Applicant has engaged with representatives of the local community through the Site Liaison Group since the inception of the Proposed Development.</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. Local authorities will be able to provide advice on what works best in terms of consulting their local communities</p>	<p>The SoCC considers how the Applicant sought to identify 'hard to reach' groups and to consult different groups within the community. Section 7 of the Consultation Report provides details of the different methods and techniques used throughout the consultation process.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	given their experience of carrying out consultations in their area."	
55	<p>"Applicants must set out clearly what is being consulted on. They must be careful to make it clear to local communities what is settled and why, and what remains to be decided, so that expectations of local communities are properly managed. Applicants could prepare a short document specifically for local communities, summarising the project proposals and outlining the matters on which the view of the local community is sought. This can describe core elements of the project and explain what the potential benefits and impacts may be. 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 (for example, Welsh and English in some areas), but it is not the policy of the Government to encourage documents to be translated into non-native languages."</p>	<p>The Applicant prepared a community consultation leaflet (the 'Have Your Say' leaflet) to summarise the Proposed Development. This was supported by the PEIR (including a non-technical summary) and a short form seeking consultation responses. The Applicant also provided the documents in a different format where requested for accessibility purposes.</p>
56	<p>"Applicants are required to set out in their Statement of Community Consultation how they propose to consult those living in the vicinity of the land. They are encouraged to consider consulting beyond this where they think doing so may provide more information on the impacts of their proposals (e.g. through visual impacts or increased traffic flow)."</p>	<p>The SoCC clearly sets out at Section 4 how the Applicant intended to consult those living in the vicinity of the land. This approach was developed with agreement from the relevant local authorities (Braintree District Council and Essex County Council).</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</p>	<p>The SoCC identified potential community event venues and the locations for hard copies of consultation materials. It was supported by the 'Have Your Say' community leaflet which provided the dates for community events.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>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 sent to local community groups as appropriate."</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. This publicity is an integral part of the public consultation process. Where possible, the first of the 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 consultation in accordance with the requirements of S48 of the Planning Act 2008, as detailed in Table 1 of this Appendix. The publication of the S48 notice in the local newspaper deliberately coincided with the commencement of the statutory consultation.</p>
68-71	<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>"Applicants will often also require detailed technical advice from consultees and it is likely that their input will be of the greatest value if they are consulted when 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</p>	<p>The Applicant undertook initial informal engagement with the local authorities and the community via updates and presentations to the Site Liaison Group.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>understand the nature of the project properly."</p> <p>"To manage the tension between consulting 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 large projects with long development periods. For example, applicants might wish to consider undertaking non-statutory early consultation at a stage where options are still being considered. This will be helpful in informing proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation."</p> <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>	
72	<p>"The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the impacts. The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt of 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</p>	<p>As set out in the Consultation Report, the Applicant set a statutory consultation period of 28th June to 23rd August 2023 to allow for additional time for consultees to respond.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>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>	
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. However, where proposals change to such a large degree that what is being taken forward is fundamentally different from what was consulted on, further consultation may well be needed. This may be necessary if, for example, new information arises which renders all previous options unworkable or invalid for some reason. 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>	Not applicable.
74	<p>"Where a proposed application changes to such a large degree that the proposals 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>	Not applicable.
75	<p>"If the application only changes to a small degree, or if the change only affects part of the development, then it is not necessary for an applicant to</p>	Not applicable.

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>undertake a full re-consultation. Where a proposed application is amended in light of consultation responses then, unless those amendments materially change the application or materially changes its impacts, the amendments themselves should not trigger a need for further consultation. Instead, the applicant should ensure that all affected statutory consultees and local communities are informed of the changes."</p>	
76	<p>"In circumstances where a particular issue has arisen during the preapplication 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. A more bespoke approach can be adopted, which may allow developers to respond with more agility to the issue at hand. If adopting this approach, the emphasis should be on ensuring that relevant individuals and organisations are included."</p>	Not applicable.
77	<p>"Consultation should also be fair and reasonable for applicants as well as communities. To ensure that consultation is fair to all parties, applicants should be able to demonstrate that the consultation process is proportionate to the impacts of the project in the area that it affects, takes account of the anticipated level of local interest, and takes account of the views of the relevant local authorities.</p>	<p>The Applicant agreed the approach to consultation with the local authorities and consulted upon it in the SoCC, ensuring that it was proportionate to the impacts of the Proposed Development in the local area and that it accounted for anticipated levels of local interest.</p>
80	<p>"...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; 	<p>These details are set out in the Consultation Report.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<ul style="list-style-type: none"> • set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate; • set out how the applicant has taken account of any response 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 a project were not followed, including advice from statutory consultees on impacts; • where the applicant has not followed the advice of the local authority or not complied with this guidance or any relevant Advice Note published by the Inspectorate, provide an 	

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>explanation for the action taken or not taken; and</p> <p>be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not include full technical explanations of these matters"</p>	
81-82	<p>"It is good practice that those who have contributed to the consultation are informed of the results of the consultation exercise; how the information received by applicants has been used to shape and influence the project; and how any outstanding issues will be addressed before an application is submitted to the Inspectorate."</p> <p>"As with the consultation itself, it is likely that different audiences will require different levels of information. The local community may be particularly interested in what the collective view of the community is and how this has been taken into account. Consultees with highly technical interests may seek more detailed information on what impacts and risks have been identified, and how they are proposed to be mitigated or managed."</p>	<p>The Applicant has set out how they have had regard to the consultation responses in Appendix G of the Consultation Report.</p>
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 therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested. If helpful, this could be supplemented by events in the local area."</p>	<p>The Applicant sent out the Have Your Say community leaflet to summarise the Proposed Development. The nature of the responses received did not warrant further supplementary materials or events. Outside of the responses made in the Consultation Report, the Applicant has also responded directly to many respondees.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
84	<p>"A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant 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>The response tables supplied at Appendix G of the Consultation Report provide the Applicant's responses to points raised. Further targeted engagement has been undertaken with the relevant consultee bodies.</p>
92-93	<p>"To ensure consultation is meaningful, the pre-application consultation process for major infrastructure projects encourages applicants to give consultees as much information as possible on the characteristics of the proposed project. However, it may not be possible for applicants to share their environmental statements during the consultation process. It may also not be the most appropriate way to present the potential environmental impacts and mitigation steps."</p> <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 information required may be different for different types and sizes of projects. It may also vary depending on the audience of a particular consultation. The preliminary environmental information is not expected to replicate or be a draft of the environmental statement. However, if the applicant considers this to be appropriate (and more cost-effective), it can be presented in this way. The key issue is that the information presented must provide</p>	<p>The Applicant prepared a Preliminary Environmental Information Report (PEIR) to support the statutory consultation in advance of preparing a full Environmental Statement. The PEIR provided an overview of the predicted impacts of the Proposed Development.</p> <p>The SoCC included a statement on how the PEIR was to be used to inform consultees on the likely significant environmental effects of the Proposed Development.</p>

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>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>	
96	<p>"It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for [the Habitats Regulation Assessment 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. The Planning Inspectorate can also comment on the applicant's draft report in advance of formal submission of the application if it is provided in good time."</p>	Not applicable.

Guidance on procedural requirements for major infrastructure projects

<p>Making documentation available for inspection</p>	<p>"The 2020 Regulations remove the obligations on applicants (or the Secretary of State, as the case may be) to include in relevant notices the addresses (including at least one address in the vicinity of the relevant project) where certain documentation is available for inspection. Instead, notices published by applicants must specify that the documents are available free of charge on a website, the address of the website and details of how the documents may be obtained from that website. Applicants</p>	<p>The Applicant made the consultation documents available for free on the Rivenhall IWMF project website (https://www.rivenhall-iwmf.co.uk/dco-process/). This information was included in the notices publicised to notify consultees of the consultation. A telephone number was also supplied. The notices published are supplied at Appendix F of the Consultation Report.</p>
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Paragraph no.	Extract from Guidance	Compliance / Further Information
	are also required to provide a telephone number for general enquiries on where to find relevant information and on the documentation itself."	
Making documentation available for inspection	"Applicants should ensure the relevant website is well signposted when publishing their notices and that the documents are readily accessible, i.e. documents should be clearly named and logically structured. Where needing to refer to a website maintained by or on behalf of the Secretary of State, we expect applicants to refer to the relevant project webpage on the Planning Inspectorate's National Infrastructure Planning website."	The notices published by the Applicant signposted potential consultees towards the Rivenhall IWMF website, where the documents were clearly set out under separate headings.
Making documentation available for inspection	"As is currently the case, and subject to any charge that may be made, hard copies of any of the relevant documents must be provided by the applicant or the Secretary of State (as the case may be) on request."	A Section 46 notification was sent to the Planning Inspectorate on behalf of the Secretary of State. This notification letter stated that hard copies were available upon request to any consultees, including the Secretary of State. This notification is supplied at Appendix G of the Consultation Report.
Making documentation available for inspection	"Applicants should engage proactively with local authorities and local communities to find alternative means to provide access to the documentation where required, to ensure on-going fair participation in the planning process, for example by providing copies of documents on a USB flash drive where parties have access to a computer but have limited or no internet access or, where reasonably practicable, by making copies of documents available for inspection free of charge where a person is unable to access the documentation electronically or finds it difficult to do so."	The Applicant engaged with local authorities to ensure that the consultation and the supporting materials would be readily available in several formats for consultees, as agreed in the SoCC. This included making USBs with a copy of the consultation documentation available for use.
Statement of Community Consultation	"Section 47(6) of the Planning Act 2008 requires that at the pre-application stage the Statement of	The Applicant made the SoCC available for inspection both on the Rivenhall

Paragraph no.	Extract from Guidance	Compliance / Further Information
	<p>Community Consultation must be made available for inspection. This requirement can be met by making documents available for inspection online. Applicants should take reasonable steps to ensure that anyone wishing to view the documentation can find these documents on their website. Hard copies should be made available by the applicant on request."</p>	<p>IWMF project website and in the consultation locations.</p>
<p>Newspaper notices</p>	<p>"Requirements exist under the Planning Act 2008 to place notices in local newspapers. In circumstances where local newspapers are currently not available in a print format, this requirement can be met by placing adverts in appropriate online local newspaper publications."</p>	<p>The Applicant was able to place notices in the print versions of the Braintree and Witham Times (the local newspaper) to publicise the consultation.</p>

Table 3 - Compliance with the Statement of Community Consultation (SoCC)

Section No.	Extract from SoCC	Compliance
1	<p>“The consultation comprises two stages: Stage 1 includes non-statutory engagement with key stakeholders to help formulate the proposals from an early stage; and Stage 2 will constitute the statutory consultation that will be carried out in accordance with the requirements of the Planning Act 2008 and the associated regulations. Feedback from both these stages will be detailed in the Consultation Report that will be submitted as part of the DCO application.”</p>	<p>The above tables in this appendix have detailed how the statutory consultation was carried out in accordance with the PA 2008 and the associated regulations and guidance.</p> <p>Feedback from the Stage 1 consultation is detailed in Table 1 of the Consultation Report.</p> <p>All feedback from the Stage 2 (statutory) consultation is provided at Appendix G of the Consultation Report, including how the Applicant has had regard to the responses and whether it resulted in changes to the Proposed Development.</p>
2	<p>“Indaver will ensure that consultation is open, honest, and designed to allow feedback to be received from as broad a range of the local community as possible.”</p>	<p>As detailed in the Consultation Report, multiple measures were taken by the Applicant to publicise the consultation and ensure that the consultation materials were available at six different deposit locations (table 2 of the Consultation Report), at each public event that was held by the Applicant (detailed in section 7 of the Consultation Report), and also available free to download via the Applicant’s project website (https://www.rivenhall-iwmf.co.uk/dco-process/).</p>
2	<p>“The consultation material will set out the background to the Proposed Development and a description of the Proposed Development itself, plus its likely environmental effects, in a way that is easy to understand. In setting out the background, the consultation material will make clear those elements and effects that are not expected to change as a result of the Proposed Development. This will help define those effects that are expected to change and on which feedback will be sought.”</p>	<p>This information is set out in the Preliminary Environmental Information Report (‘PEIR’) (Consultation Report Appendix E-1 (Doc Ref 5.2)), which included a non-technical summary. Volume 2 of the PEIR comprised the EIA Scoping Report and the Scoping Opinion adopted by PINS. This further makes clear what the Proposed Development comprises and how it does and does not affect the Consented Scheme.</p>
4	<p>“In addition to utilising the Site Liaison Group for non-statutory engagement, Indaver will also engage directly with the</p>	<p>Figure 1 of the Consultation Report sets out the engagement that the Applicant has had with the host authorities, statutory and non-</p>

Section No.	Extract from SoCC	Compliance
	<p>relevant local authorities, PINS and other statutory and non-statutory bodies. This will involve conveying the plans for the Proposed Development to these stakeholders and what the likely environmental effects of the Proposed Development will be, such that they can help inform the proposals as they evolve, plus any mitigation required to offset potentially adverse impacts.”</p>	<p>statutory consultees, and PINS throughout the pre-application process.</p> <p>The information provided to these groups is provided in Appendix A of the Consultation Report.</p> <p>The Applicant also sent draft versions of the Draft DCO, Explanatory Memorandum, Consultation Report, and Chapter 3: Proposed Development of the ES to PINS on 6th September 2023. This was to allow an early review of these key documents and for PINS to provide feedback that would help inform the proposals prior to submitting them for examination by the Examining Authority.</p>
4	<p>“Finally, any ‘hard to reach’ groups that are identified through discussion with the Site Liaison Group and with the relevant local authorities will be contacted to understand how they can be best accommodated within the Stage 2 (statutory) consultation.”</p>	<p>No hard to reach groups were identified by the relevant local authorities or the Site Liaison Group.</p>
4	<p>“The Stage Two consultation will constitute the statutory consultation with the local community on the Proposed Development. This consultation will inform the local community of the proposals and set out the various ways in which feedback can be provided.”</p>	<p>The Consultation Materials (provided at Appendix E of the Consultation Report) and Statutory Consultation Notices (Appendix F) provided this information.</p>
4	<p>“Individuals, businesses and other organisations in the immediate area will receive consultation letters directly to their addresses to inform them of where they can access the consultation material and how they can provide feedback (either virtually or in person), and the timeframe in which feedback can be received.”</p>	<p>As detailed in Section 7 of the Consultation Report, over 30,000 consultation leaflets were delivered to addresses within the Local Community Consultation Zone. The leaflets (which can be seen at Appendix E-3) provided information on where and when the consultation documents could be accessed and how and by what deadline any responses could be submitted (23:59:59 on 23rd August 2023).</p>
4	<p>Indaver will do the same for the elected representatives of any parish, district, or county council or member of parliament’s</p>	<p>Letters were delivered on 28th June 2023 to the Parish Council clerks of Coggeshall, Feering, Great Braxted, Kelvedon, and Silver End, to the host authorities (as</p>

Section No.	Extract from SoCC	Compliance
	constituency that fall within (wholly or partly) the Local Community Consultation Zone.	section 42 consultees). The local offices of the Rt Hon. Priti Patel MP, whose constituency the Site falls within, falls within the Local Community Consultation Zone and so would have received the consultation leaflet.
5	Indaver will publish notices in a local newspaper for two consecutive weeks, plus a notice in one national newspaper and the London Gazette near the start of the consultation period. These notices will provide broadly the same information as the consultation letter – setting out where information can be accessed, the date(s) and time(s) of the community drop in event(s), how feedback on the Proposed Development can be given and the deadline for doing so.	<p>Notices were published in the Braintree and Witham Times on the 29th June and 6th July 2023, this being the local newspaper. A notice was published in The Guardian (the national newspaper) and in the London Gazette, both on 28th June 2023. This is as set out in Table 4 of the Consultation Report.</p> <p>Copies of these notices are provided at Appendix C-5 and Appendix F-2 of the Consultation Report.</p>
4	Indaver will also take more general measures to advertise the consultation via notices on its website, leaflets at its on-site information hub building, and on its online and/or social media profile(s).	<p>Section 7 of the Consultation Report details the ways that the Applicant advertised the consultation via adverts in locally circulated newspapers, displaying a notice in the Witham Tesco, and through social media posts across its X, Facebook and LinkedIn profiles. The Applicant’s website also displayed information about the Proposed Development and the consultation, including the times and locations of the public events. Leaflets were also available at the ‘Information Hub’ where the Applicant conducts its site business and where people were invited to visit on Open Days held during the consultation period.</p> <p>Copies of these adverts and posts are provided at Appendix E-3.</p>
4	The primary way in which information relating to the Proposed Development will be made available will be online at www.rivenhall-iwmf.co.uk from where it will be possible to view and/or download the key documentation relating to the application consultation. The information that will be available will include:	Appendix E-5 provides screenshots of the Applicant’s project website, which demonstrates that these documents were available and free to download. The Site boundary plan was included in the PEIR.

Section No.	Extract from SoCC	Compliance
	<ul style="list-style-type: none"> ▪ This Statement of Community Consultation; ▪ Instructions on how to provide feedback and the deadline for doing so; ▪ A Site boundary plan; ▪ Preliminary Environmental Information Report ('PEIR') and non-technical summary; and ▪ Section 48 Notice of Consultation. 	
4	<p>In addition to the information being made available on the website, hard copies of the consultation documents will be available to view at the locations set out in Table 1.</p> <p>(Summary of Table 1 of the SOCC):</p> <ul style="list-style-type: none"> ▪ Braintree Library ▪ Silver End Library ▪ Kelvedon Library ▪ Coggeshall Library ▪ Witham Library ▪ Rivenhall IWMF* <p>*by appointment only using the contact details provided.</p>	<p>Hard copies of the consultation materials were deposited at these locations from 28th June to 23rd August 2023.</p>
4	<p>Indaver have sought to identify venues that are relatively proximate to the Site and are accessible to all. If anyone is unable to access any of these locations, or unable to access the information via the website, Indaver will work with them to ensure that consultation material is available in another way.</p>	<p>No such requests were made.</p>
	<p>Indaver will also hold events where information boards will be displayed and hard copies of the consultation material made available. Members of the public will be free to drop-in to these events to ask questions of members of the project team in</p>	<p>As set out in Section 7 of the Consultation Report, public events were held at the following locations and times:</p> <ul style="list-style-type: none"> ▪ Kelvedon Village Hall – Thursday 6th July 2023, 4pm to 8pm

Section No.	Extract from SoCC	Compliance
	<p>attendance, and provide feedback via the form that will be available. The event(s) will likely be held over at least two days and will include 1 full day/evening of a weekday (e.g., 10:00 – 20:00), plus 1 morning of a weekend (09:00 – 12:00) to ensure that as broad a scope of requirements can be accommodated as possible (with regard to things like work and childcare commitments). The events will be held at (at least) one of the following locations, depending on availability:</p> <p>[summary of Table 2 of the SoCC]</p> <ul style="list-style-type: none"> ▪ Bradwell Village Hall ▪ Silver End Village Hall ▪ Rivenhall Village Hall ▪ Kelvedon Hall ▪ Coggeshall Village Hall 	<ul style="list-style-type: none"> ▪ Rivenhall Village Hall – Friday 14th July 2023, 1pm to 4pm ▪ Bradwell Village Hall – Saturday 22nd July 2023, 9am to 12pm ▪ Coggeshall Village Hall – Wednesday 26th July 2023, 12pm to 4pm ▪ Silver End Village Hall – Monday 31st July 2023, 9am to 12pm <p>This meets the requirement to held over at least two days to host the events across a full day and evening (albeit across different venues and different days, though this was deemed preferable to hosting a full day event at a single venue), plus the morning of a weekend.</p>
4	<p>In addition to hosting the public event(s), Indaver will consider hosting a consultation webinar, in which members of the team can answer questions from individuals or groups that are unable to attend the public event(s) in person. Indaver would request that any specific questions from the individual(s) or group(s) are provided in advance of the meeting so that the relevant technical expertise can be made available.</p>	<p>No request for a consultation webinar was made, nor was interest in one verbally expressed at the public events.</p> <p>The Applicant did however host an additional (6th) public event in Witham following a request from Witham Town Council. This occurred on 18th August.</p> <p>A series of open days were also hosted by the Applicant and the Information Hub, which lies adjacent to the Site. 10 such days were held and were attended by 31 people. The Applicant organised a taxi to pick up and drop off 1 attendee. More information is set out in Section 7 of the Consultation Report.</p>
4	<p>We welcome feedback on the Proposed Development. Consultees will be able to provide feedback and discuss the proposals in a number of ways:</p> <ul style="list-style-type: none"> ▪ By filling in the feedback form and submitting comments via the Indaver Rivenhall website; 	<p>Feedback forms were provided at the public events and at the hard copy deposit locations. A screenshot of the project website and the online feedback form is provided at Figure 2 of the Consultation Report.</p>

Section No.	Extract from SoCC	Compliance
	<ul style="list-style-type: none"> ▪ By visiting the Rivenhall IWMF Information Hub at an appointed time and filling in a feedback form; ▪ By submitting comments directly via email to info@rivenhall-iwmf.co.uk or via post to Woodhouse Farm, Woodhouse Lane, Kelvedon, Essex, CO5 9DF; ▪ By attending an in-person event at the appointed time and venue and by filling out the feedback form provided; or ▪ By requesting an MS Teams call with a representative of Indaver to provide an overview of the proposals and the information prepared in support of the consultation. Consultees will be required to provide the set of questions they would like to ask in advance of the meeting, so that Indaver can ensure the relevant technical specialists can be available to help. Unfortunately, it will not be possible for individuals to request a meeting – only recognised groups, bodies, organisations or businesses will be able to do so. 	<p>No request for a MS Teams call was made. Appointments to visit the Information Hub were made on the open days, described above.</p>
4	<p>It should be noted that only written feedback (whether submitted via the Indaver Rivenhall webpage, to our email address, or through the feedback forms provided at consultation events) will be reported and formally taken into account by Indaver. Feedback provided verbally at consultation will be taken into consideration by the team but will not form part of the formal feedback that is reported in the Consultation Statement that will be submitted with the DCO application.</p>	<p>All responses to the consultation are detailed in Appendix G, including how the Applicant has had regard to the comment and how it has changed the Proposed Development.</p>
4	<p>The Stage Two community consultation will be held over a period of 8 weeks. Consultees will have until 23:59:59 on the</p>	<p>The Stage Two consultation ran from 28th June until 23:59:59 on 23rd August 2023, a total of 8 weeks.</p>

Section No.	Extract from SoCC	Compliance
	final day of the consultation period to provide feedback via the methods set out above.	
4	The public event(s) will be scheduled to happen during the consultation process, subject to venue availability.	All public events occurred during the statutory consultation period, as detailed above.
4	The consultation newsletter will be issued to addresses in the Local Community Consultation Zone to coincide with the start of the consultation period. The notices in the local newspaper will run for 2 weeks from the start of the consultation period; and a notice in a national newspaper and the London Gazette 1 week to coincide with the start of the consultation period.	<p>The consultation leaflets were delivered to addresses within the Local Community Consultation Zone on 28th June 2023 to coincide with the start of the statutory consultation.</p> <p>Notices were placed in local and national newspapers, plus the London Gazette as set out in Table 4 of the Consultation Report.</p>
5	Feedback from the local community will be collated and analysed, and subsequently considered during the preparation of the DCO application. This feedback will be detailed in a Consultation Report that will be submitted with the application, alongside the feedback received through statutory consultation with the relevant local authorities, those with an interest in the land, and relevant statutory consultees.	Appendix G sets out all the consultation responses received and how the Applicant has had regard to them.

