

Mr Keith Budinger
Unit 5 St Georges Court
St Georges Park
Kirkham
Preston
Lancashire
PR4 2EF

14 September 2011

Dear Mr Budinger

Re: Feedback on consultation.

Thank you for your letter which we received on the 16 August 2011.

We would like to highlight that while it is the developer's duty to consult those people prescribed in sections 42 – 48 of the Planning Act 2008 (PA 2008) before an application is submitted, in no part of this consultation is the IPC a consultee. We would like to make clear that the IPC, as the impartial decision or recommendation making body for this project, has had no involvement in this pre-application consultation, other than providing procedural advice to all parties under s.51 of PA 2008.

Under s.51 of PA 2008, the IPC is expressly prohibited from giving "advice about the merits of any particular application, or proposed application". By law, it is not possible for the IPC to take part in or respond to consultation that concerns the merits of a scheme.

We would be grateful if the IPC could be removed from any correspondence lists intended for parties that have been formally consulted for the purposes of s.42-48 of PA2008, so as to avoid any confusion about the role of the IPC during consultation.

Yours Sincerely,

Michael Baker
Assistant Case Officer

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This email message does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

You should note that we have a Policy Commitment to Openness and Transparency and you should not provide us with confidential or commercial information which you do not wish to be put in the public domain.