

# Southampton to London Pipeline Project

## Volume 1

Self Completed Section 55 Checklist  
Application Document: 1.6

Planning Inspectorate Reference Number: EN070005

APFP Regulation No. 5(2)(q)

Revision No. 1.0

May 2019



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# The Planning Act 2008

## Section 55 Acceptance of Applications\*

(Appendix 3 of [advice note six: Preparation and submission of application documents](#))

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
  
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
  
- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
  - (a) that it is an application for an order granting development consent,
  - (b) deleted
  - (c) that development consent is required for any of the development to which the application relates,
  - (d) deleted
  - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
  - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
  
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
  - (a) the consultation report received under section 37(3)(c),
  - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
  - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
  
- (5) In subsection (4) -

“local authority consultee” means -

- (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
- (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.

- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which –
  - a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
  - b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
  - (a) notify that view to the applicant, and
  - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

\* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

**DISCLAIMER** - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure) to complete. Completion or self-assessment by the applicant does not hold weight at the acceptance stage.

**NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.**

## Section 55 Acceptance of Applications

### Section 55 Application Checklist<sup>1</sup>

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
		dd mm yyyy	dd mm yyyy	dd mm yyyy
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-		Planning Inspectorate Comments		
<b>s55(3)(a) and s55(3)(c) It is an application for an order granting development consent</b>				
2	Is the development a nationally significant infrastructure project <sup>2</sup> (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order <sup>3</sup> (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates ie which category or categories in ss14-30 does the application scheme fall)?	<p><b>Yes the development is a nationally significant infrastructure project.</b></p> <p>The proposed development set out in Schedule 1 of the draft Development Consent Order (<b>Application Document 3.1</b>) is a Nationally Significant Infrastructure Project (NSIP) within sections 14 (1) (g) and 21 (1) (b) of the Planning Act 2008.</p> <p>This is also summarised in Box 4 of the Application Form (<b>Application Document 1.2</b>) which states:</p> <p>The project is an NSIP under Section 14(1)(g) of the 2008 Act because:</p>		

<sup>1</sup> References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Casework Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

<sup>2</sup> NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

<sup>3</sup> Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>If the development does not fall within the categories in ss14-30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>1) it is a cross-country pipeline for the purposes of section 66 of the Pipe-lines Act 1962 as the length of the replacement pipeline at 97km is intended to exceed 16.093 km (10 miles);</p> <p>2) the construction of the replacement pipeline would, but for section 33(1) of the 2008 Act, require authorisation under section 1(1) of the 1962 Act; and</p> <p>3) both ends of the replacement pipeline are located in England.</p> <p>The project therefore meets each of the relevant qualifying criteria in section 21(1) of the 2008 Act.</p> <p>Similar text can also be found in chapter 1 of the Planning Statement (<b>Application Document 7.1</b>)</p>
<p><b>3</b></p>	<p><b>Summary – s55(3)(a) and s55(3)(c)</b></p>	<p>The <b>draft DCO (Application Document 3.1)</b> Schedule 1 and <b>Box (4)</b> of the <b>Application Form (Application Document 1.2)</b> demonstrate that the application as submitted is an application for an order granting development consent under the PA2008.</p>
<p><b>s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</b></p>		
<p>4</p>	<p>In accordance with the EIA Regulations<sup>4</sup>, did the applicant (prior to carrying out consultation in accordance with s42) either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed</p>	<p>(a) No, the Applicant did not request a screening opinion in respect of the development.</p> <p>(b) Yes, the Applicant notified the Secretary of State on <b>26 July 2018</b> under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that they intended to provide an environmental statement.</p>

<sup>4</sup> Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations) (where Regulation 37 of the 2017 EIA Regulations applies).

	to provide an environmental statement in respect of that development?	The Applicant submitted a Scoping Report to the Planning Inspectorate on behalf of the applicant on <b>26 July 2018</b>
5	Have any adequacy of consultation representations <sup>5</sup> been received from “A”, “B”, “C” and “D” authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?	This test relates to correspondence that will be received by the Planning Inspectorate during the acceptance period.
<b>s42: Duty to Consult</b>		
	Did the applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?	
6	s42(1)(a) persons prescribed <sup>6</sup> ?	Yes, the Applicant carried two statutory consultations, details of which are set out below and throughout this checklist: <ul style="list-style-type: none"> <li>1. Preferred Route Consultation (First statutory consultation): September/October 2018</li> <li>2. Design Refinements Consultation (Second statutory consultation): January/February 2019</li> </ul>

<sup>5</sup> S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

<sup>6</sup> Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

		<p>Chapters 5 and 6 of the Consultation Report (<b>Application Document 5.1</b>) set out the approach to statutory consultation with the prescribed consultees and compliance with legislation and associated guidance and details the consultation that was carried out in accordance with section 42. The Applicant also had regard to the list of consultation bodies formally consulted as part of the Scoping Opinion (set out at appendix 1 of the Scoping Opinion) adopted by the Planning Inspectorate adopted on behalf of the Secretary of State in September 2018.</p> <p><b>Appendix 5.2</b> of the Consultation Report (<b>Application Document 5.1</b>) contains the list of all parties consulted under section 42 (1) (a).</p>
7	s42(1)(aa) the Marine Management Organisation <sup>7</sup> ?	Not Applicable
8	s42(1)(b) each local authority within s43 <sup>8</sup> ?	<p>Yes, the Applicant consulted each local authority within s43 at both statutory consultations, the Preferred Route Consultation in September/October 2018 and the Design Refinements Consultation January/February 2019.</p> <p><u>Preferred Route Consultation - September/October 2018</u></p> <p>The Applicant has consulted each local authority within s43 as described in <b>Section 5.8</b> of the Consultation Report (<b>Application Document 5.1</b>)</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p>The Applicant has consulted each local authority within s43 as described in <b>Section 6.7</b> of the Consultation Report (<b>Application Document 5.1</b>)</p>

<sup>7</sup> In any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

<sup>8</sup> Definition of “local authority” in s43(3): The “B” authority where the application land is in the authority’s area; the “A” authority where any part of the boundary of A’s area is also a part of the boundary of B’s area; the “C” authority (upper tier) where the application land is in that authority’s area; the “D” authority where such an authority shares a boundary with a “C” authority



		<p>s43 (1) authorities consulted:</p> <p>s43 (2) “A” authorities: New Forest District Council, Southampton City Council, Fareham Borough Council, Portsmouth City Council, Havant Borough Council, Chichester District Council, Waverley Borough Council, Guildford Borough Council , Woking Borough Council, Elmbridge Borough Council, West Berkshire Council, New Forest National Park Authority, London Borough of Richmond-upon-Thames, London Borough of Hammersmith and Fulham, London Borough of Ealing, London Borough of Bromley, London Borough of Hillingdon, Slough Borough Council, Royal Borough of Windsor &amp; Maidenhead, Royal Borough of Kingston Upon Thames, Bracknell Forest Council, London Borough of Sutton, Wokingham Borough Council, London Borough of Croydon, Basingstoke and Dean Borough Council, Test Valley Borough Council</p> <p>s43 (2) “B” authorities: Eastleigh Borough Council, Winchester City Council, South Downs National Park Authority, East Hampshire District Council, Hart District Council, Rushmoor Borough Council, Surrey Heath Borough Council, Runnymede Borough Council, Spelthorne Borough Council, London Borough of Hounslow</p> <p>s43 (2) “C” authorities: Surrey County Council, Hampshire County Council</p> <p>s43 (2) “D” authorities: West Sussex County Council, East Sussex County Council, Kent County Council and Wiltshire Council.</p>
9	s42(1)(c) the Greater London Authority (if in Greater London area)?	<p>Esso’s West London Terminal storage facility is in the London Borough of Hounslow within Greater London. The applicant therefore consulted the GLA at both statutory consultations.</p> <p><u>Preferred Route Consultation - September/October 2018</u></p>

		<p>The applicant consulted the Greater London Authority on 6 September 2018 (Sample correspondence is in <b>Appendix 5.6</b>, Consultation Report, <b>Application Document 5.1</b>)</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p>The applicant consulted the Greater London Authority on 21 January 2019 (Sample correspondence is in <b>Appendix 6.8</b>, Consultation Report, <b>Application Document 5.1</b>)</p>
10	s42(1)(d) each person in one or more of s44 categories <sup>9</sup> ?	<p><u>Preferred Route Consultation - September/October 2018</u></p> <p>Yes, the Applicant consulted each person in one or more s44 categories at the start of statutory consultation on 6 September 2018. A sample letter sent at the start of consultation can be found in <b>Appendix 5.11</b> of the Consultation Report (<b>Application Document 5.1</b>).</p> <p>Chapter 5 (<b>Section 5.9</b>) of the Consultation Report (<b>Application Document 5.1</b>) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by s44 of the Planning Act 2008 and the approach to statutory consultation.</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p>Yes, the Applicant consulted each person in one or more s44 categories at the start of statutory consultation on 21 January 2019. A sample letter sent at the start of consultation can be found in <b>Appendix 6.9 &amp; 6.10</b> of the Consultation Report (<b>Application Document 5.1</b>).</p> <p>Chapter 6 (<b>Section 6.8</b>) of the Consultation Report (<b>Application Document 5.1</b>) sets out how the Applicant has undertaken diligent inquiry to identify those consultees defined by s44 of the Planning Act 2008 and the approach to statutory consultation.</p>
<b>s45: Timetable for s42 Consultation</b>		

<sup>9</sup> Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes</p> <p><u>Preferred Route Consultation - September/October 2018</u></p> <p>Letters dated 6 September 2018 were sent to s42 consultees and confirmed a deadline for responses being 19 October 2018, which is more than 28 days after the date of the s42 notification letter. Sample letters are provided in <b>Appendix 5.6</b> of the Consultation Report Appendices (<b>Application Document 5.1</b>).</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p>Letters dated 21 January 2019 were sent to s42 consultees and confirmed a deadline for responses being 19 February 2019, which is more than 28 days after the date of the s42 notification letter. Sample letters are provided in <b>Appendix 6.7</b> of the Consultation Report (<b>Application Document 5.1</b>).</p> <p>Ongoing Engagement – February/May 2019</p> <p>As a result of changed following the Design Refinement consultation and on-going work, Esso identified seven new Persons with an Interest in Land that required consultation. Esso consulted them under S42 of the Act. See section 7.4 of the Consultation Report (<b>Application Document 5.1</b>).</p>
<b>s46: Duty to notify Secretary of State of proposed application</b>		
12	Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes</p> <p><u>Preferred Route Consultation - September/October 2018</u></p> <p>The Applicant gave notice under s46 on 5 September 2018, which was before the beginning of s42 consultation. A copy of the letter and consultation documents sent to the Secretary of State is included in <b>Appendix 5.12</b> of the Consultation Report (<b>Application Document 5.1</b>)</p> <p><u>Design Refinements Consultation - January/February 2019</u></p>

		On 18 January 2019 the Applicant gave notice under s46 of the Design Refinements consultation as an update to the s46 notification issued in advance of the Preferred Route consultation on 5 September 2018. A copy of the letter and consultation documents sent to the Secretary of State is included in <b>Appendix 6.11</b> of the Consultation Report ( <b>Application Document 5.1</b> )
<b>s47: Duty to consult local community</b>		
13	Did the applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	Yes. The Applicant produced a Statement of Community Consultation (SoCC). The first draft, which was issued for consultation, is presented in <b>Appendix 4.5</b> of the Consultation Report ( <b>Application Document 5.1</b> ), and the final published document is provided in <b>Appendix 4.8</b> of the same report.
14	Were “B” and (where relevant) “C” authorities consulted about the content of the SoCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that “B” and (where applicable) “C” authorities received the consultation documents?	<p>Yes. The applicant sent a draft SoCC to “B” and “C” authorities on 9 July 2018 and set a deadline of 6 August 2018 for responses.</p> <p><b>Appendix 4.6</b> of the Consultation Report (<b>Application Document 5.1</b>) includes a copy of the email sent to local authorities.</p> <p>The draft SoCC was sent to the following “B” Authorities:</p> <ul style="list-style-type: none"> <li>• Eastleigh Borough Council</li> <li>• Winchester City Council</li> <li>• East Hampshire District Council</li> <li>• Hart District Council</li> <li>• Rushmoor Borough Council</li> <li>• Surrey Heath Borough Council</li> <li>• Runnymede Borough Council</li> <li>• Spelthorne Borough Council</li> <li>• London Borough of Hounslow</li> </ul>

		<ul style="list-style-type: none"> <li>• South Downs National Park</li> </ul> <p>And “C” authorities:</p> <ul style="list-style-type: none"> <li>• Hampshire County Council</li> <li>• Surrey County Council</li> </ul>
15	Has the applicant had regard to any responses received when preparing the SoCC?	<p>Yes</p> <p><b>Chapter 4, Section 4.10</b> of the Consultation Report (<b>Application Document 5.1</b>) sets out the comments made by the host authorities on the preparation of the SoCC. The table also sets out how the Applicant has taken the comments into consideration, for example a suggestion to the project consider directly contacting elected members in areas affected by the proposals during consultation so they are aware of the project/consultation was incorporated into the final SOCC (<b>Appendix 4.7</b>, Consultation Report <b>Application Document 5.1</b>).</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes, the SoCC was made available for inspection by the public in a way that was reasonably convenient for people living in the vicinity of the land, for the duration of the Preferred Route statutory consultation and with regard to the location of the scheme.</p> <p>Full details of the locations at which the SoCC was available to view are found in <b>Chapter 5 Section 5.15.6</b> of the Consultation Report (<b>Application Document 5.1</b>).</p> <p>The Applicant published the SoCC on its website on 6 September 2018.</p> <p>The Applicant published a notice stating where and when the SoCC could be inspected, combining this notice with its notice under s48 of the Planning Act (<b>Appendix 5.7</b> of the Consultation Report, <b>Application Document 5.1</b>). For the September 2018 statutory consultation the notice was placed in the following national and local newspapers:</p>

Publication	Publication date
Aldershot News & Mail	12 & 19 September
Andover Advertiser	7 & 14 September
Basingstoke Gazette	6 & 13 September
Eastleigh Times	6 & 13 September
Farnham Herald Series	13 & 20 September
Guildford Dragon	Online publication
Hampshire Chronicle	6 & 13 September
Hampshire Independent	7 & 14 September
Haslemere Herald	13 & 20 September
Hounslow Chronicle and Informer	7 & 14 September
Woking News and Mail	6 & 13 September
Petersfield Post (The Post Series)	12 & 19 September
Richmond and Twickenham Times	14 & 21 September
Romsey Advertiser	7 & 14 September
Southern Daily Echo (Eastleigh Echo)	6, 7 and 21 September
Staines Chronicle and Informer	7 & 14 September
Surrey and Hants News	11 & 18 September
Surrey Advertiser (Guildford edition)	7 & 14 September
Surrey Advertiser (Runnymede and Spelthorne edition)	7 & 14 September
<i>National newspaper &amp; London Gazette – once only</i>	
The Times	6 September
The London Gazette	7 September
<p>Copies of the newspaper notices publicising the SoCC are included in <b>Appendix 5.13</b> of the Consultation Report (<b>Application Document 5.1</b>).</p>	

17	Does the SoCC set out whether the development is EIA development <sup>10</sup> ; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p>Yes. Chapter 2 of the SoCC states the development for which the Applicant proposes to make an application for an order granting development consent is EIA development.</p> <p>Chapter 6 of the SoCC sets out how the Applicant proposes to publicise and consult on the preliminary environmental information. A copy of the published SoCC can be found in <b>Appendix 4.8</b> of the Consultation Report (<b>Application Document 5.1</b>).</p>
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p>Yes, the Applicant has undertaken consultation in accordance with the proposals set out in the SoCC. <b>Section 5.12, Chapter 5</b> of the Consultation Report (<b>Application Document 5.1</b>) outlines how the Applicant has complied with the commitments set out the SoCC.</p>
<b>s48: Duty to publicise the proposed application</b>		
19	Did the applicant publicise the proposed application, under s48, in the prescribed manner set out in Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009?	<p><u>Preferred Route Consultation - September/October 2018</u></p> <p>The Applicant publicised the proposed application in accordance with the requirements of s48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations as outlined in <b>Section 5.13, Chapter 5</b> of the Consultation Report (<b>Application Document 5.1</b>)</p> <p>Copies of all newspaper notices are included in <b>Section 1.7</b>, Volume 1, Application Form (<b>Application Document 1.3</b>).</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p>Due to the targeted and location specific nature of the design refinements, the Applicant did not consider it appropriate to conduct further publicity under s48, which is intended to reach the wider public outside the vicinity of the project.</p>

<sup>10</sup> Regulation 12 of the 2017 EIA Regulations, or Regulation 10 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

		<p>Additionally, none of the content relating to the proposed application, required under Regulation 4(3) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, had changed from that contained in the notice originally published under s48 in September 2018, with the exception of details of how to respond to this further round of consultation and the deadline for receipt of responses. This updated information was provided in the Design Refinements Consultation Brochure (<b>Appendix 6.2</b>, Consultation Report, <b>Application Document 5.1</b>).</p>																										
		<table border="1"> <thead> <tr> <th data-bbox="949 480 1792 555"><i>Newspaper(s)</i></th> <th data-bbox="1792 480 2125 555"><i>Date</i></th> </tr> </thead> </table>	<i>Newspaper(s)</i>	<i>Date</i>																								
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	<p>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><u>Preferred Route Consultation - September/October 2018</u></p> <p>The section 48 notice was published in local newspapers circulating in the vicinity of the proposed scheme coinciding with the launch of the Preferred Route Statutory Consultation. This is described in <b>Chapter 5, Section 5.13.5</b> of the Consultation Report (<b>Application Document 5.1</b>):</p> <table border="1"> <tbody> <tr><td>Aldershot News &amp; Mail</td><td>12 &amp; 19 September</td></tr> <tr><td>Andover Advertiser</td><td>7 &amp; 14 September</td></tr> <tr><td>Basingstoke Gazette</td><td>6 &amp; 13 September</td></tr> <tr><td>Eastleigh Times</td><td>6 &amp; 13 September</td></tr> <tr><td>Farnham Herald Series</td><td>13 &amp; 20 September</td></tr> <tr><td>Guildford Dragon</td><td>Online publication</td></tr> <tr><td>Hampshire Chronicle</td><td>6 &amp; 13 September</td></tr> <tr><td>Hampshire Independent</td><td>7 &amp; 14 September</td></tr> <tr><td>Haslemere Herald</td><td>13 &amp; 20 September</td></tr> <tr><td>Hounslow Chronicle and Informer</td><td>7 &amp; 14 September</td></tr> <tr><td>Woking News and Mail</td><td>6 &amp; 13 September</td></tr> <tr><td>Petersfield Post (The Post Series)</td><td>12 &amp; 19 September</td></tr> <tr><td>Richmond and Twickenham Times</td><td>14 &amp; 21 September (se</td></tr> </tbody> </table>	Aldershot News & Mail	12 & 19 September	Andover Advertiser	7 & 14 September	Basingstoke Gazette	6 & 13 September	Eastleigh Times	6 & 13 September	Farnham Herald Series	13 & 20 September	Guildford Dragon	Online publication	Hampshire Chronicle	6 & 13 September	Hampshire Independent	7 & 14 September	Haslemere Herald	13 & 20 September	Hounslow Chronicle and Informer	7 & 14 September	Woking News and Mail	6 & 13 September	Petersfield Post (The Post Series)	12 & 19 September	Richmond and Twickenham Times	14 & 21 September (se
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7 & 14 September															
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	once in a national newspaper;	Yes. This is described in <b>Chapter 5</b> (Section 5.13) of the Consultation Report ( <b>Application Document 5.1</b> ). The section 48 notice was published in The Times.		6 September 2018
	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	Yes, the section 48 notice was published in the London Gazette. This is described in <b>Chapter 5</b> , (Section 5.13) of the Consultation Report ( <b>Application Document 5.1</b> ).  Copies of all newspaper notices are included in <b>Section 1.7</b> , Volume 1, Application Form ( <b>Application Document 1.3</b> ).  No land in Scotland is affected by the proposed scheme. As such there was no requirement to publish in the Edinburgh Gazette.		7 September 2019
	where the proposed application relates to offshore development –  (i) once in Lloyds List; and  (ii) once in an appropriate fishing trade journal?	The application does not relate to offshore development so no publication was required in the listed publications.		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. A copy of the published s48 notice is provided in <b>Appendix 5.7</b> of the Consultation Report ( <b>Application Document 5.1</b> ) and contains the required information as set out below:		
	<b>Information</b>	<b>Paragraph</b>		<b>Information</b>
a)	The name and address of the applicant.	One	b)	A statement that the applicant intends to make an application for development consent to the Secretary of State
				One

c)	a statement as to whether the application is EIA development	Five	d)	a summary of the main proposals, specifying the location or route of the proposed development	Three
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	Six	f)	the latest date on which those documents, plans and maps will be available for inspection	Nine
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Nine	h)	details of how to respond to the publicity	Nine
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	Nine			
21	Are there any observations in respect of the s48 notice provided above?				
	<i>If there are any concerns in particularly about the s48 notice, they will be noted here.</i>				
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with the EIA Regulations <sup>11</sup> ?	Yes. This was included with the s42 letters sent to those bodies on 6 September 2018. A full list of which bodies received the s42 letter is included in Appendix 5.2 of the Consultation Report ( <b>Application Document 5.1</b> ).			

<sup>11</sup> Regulation 13 of the 2017 EIA Regulations, or Regulation 11 of the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies).

		No persons have been notified under Regulation 9(1)(c)
<b>s49: Duty to take account of responses to consultation and publicity</b>		
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes, the Applicant has had regard to any relevant responses received during the statutory consultation period.</p> <p><u>Preferred Route Consultation - September/October 2018</u></p> <p><b>Appendix 5.24</b> of the Consultation Report (<b>Application Document 5.1</b>) provides a summary of matters raised by consultees including which consultee strand raised these matters.</p> <p><b>Chapter 5</b> of the Consultation Report (<b>Application Document 5.1</b>) describes in <b>Section 5.21</b> how regard has been had to these responses in accordance with s49 of the Planning Act 2008. <b>Section 5.20</b> of the Consultation Report (<b>Application Document 5.1</b>) provides a breakdown the issues raised.</p> <p><u>Design Refinements Consultation - January/February 2019</u></p> <p><b>Appendix 6.18</b> of the Consultation Report (<b>Application Document 5.1</b>) provides a summary of matters raised by consultees including which consultee strand raised these matters.</p> <p><b>Chapter 6</b> of the Consultation Report (<b>Application Document 5.1</b>), <b>Section 6.18</b> describes how regard has been had to these responses in accordance with s49 of the Planning Act 2008. <b>Section 6.17</b> of the Consultation Report (Application Document 5.1) provides a breakdown of the issues raised.</p>

<b>Guidance about pre-application procedure</b>		
24	To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process' <sup>12</sup> ?	<b>Chapter 1, Section 1.6</b> of the Consultation Report ( <b>Application Document 5.1</b> ) explains how the Applicant has had regard to DCLG guidance on the pre-application process.
<b>25</b>	<b>Summary - s55(3)(e)</b>	
<b>s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</b>		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> <li>• a brief statement which explains why it falls within the remit of the Secretary of State; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p>Yes.</p> <p>Box 4 of the Application Form (Document 1.2) explains why the development falls within the remit of the Secretary of State.</p> <p>Box 5 of the Application Form provides a brief non-technical description of the route.</p> <p>Box 6 provides brief statement that describes the location of the proposed route of the pipeline. Given the linear nature of the route, a single location plan is not appropriate and reference should be made to the application Land Plans (<b>Application Document 2.1</b>) and Works Plans (<b>Application Document 2.2</b>)</p>
27	Is it accompanied by a consultation report?	Yes. The Consultation Report is included as <b>Application Document 5.1</b>

<sup>12</sup> The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

28	Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets? <sup>13</sup>	Yes, Key Plans are provided for all plans provided in which comprise three or more separate sheets and those Key Plans show the relationship between the different sheets.					
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	Yes The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:					
<b>Information</b>		<b>Document</b>		<b>Information</b>		<b>Document</b>	
a)	Where applicable, the environmental statement required under the EIA Regulations <sup>14</sup> and any scoping or screening opinions or directions	<b>Application Document 6</b>		b)	The draft proposed order	<b>Application Document 3.4</b>	
	Is this of a satisfactory standard?				Is this of a satisfactory standard?		
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft order	<b>Application Document 3.2</b>		d)	Where applicable, a book of reference (where the application involves any compulsory acquisition)	<b>Application Document 4.3</b>	
	Is this of a satisfactory standard?				Is this of a satisfactory standard?		
e)	A copy of any flood risk assessment	<b>Application Document 7.3</b>		f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them	<b>Application Document 7.3</b>	
	Is this of a satisfactory standard?				Is this of a satisfactory standard?		

<sup>13</sup> Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>14</sup> The 2017 EIA Regulations, or the 2009 EIA Regulations (where Regulation 37 of the 2017 EIA Regulations applies)

h)	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	<b>Application Document 4.1</b>	i)	A land plan identifying:- (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land	<b>Application Document 2.1</b>
Is this of a satisfactory standard?			Is this of a satisfactory standard?		
j)	A works plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order	<b>Application Document 2.2</b>	k)	Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	<b>Application Document 2.5</b>
Is this of a satisfactory standard?			Is this of a satisfactory standard?		

l)	<p>Where applicable, a plan with accompanying information identifying:-</p> <ul style="list-style-type: none"> <li>(i) any statutory/non-statutory sites or features of nature conservation eg sites of geological/ landscape importance;</li> <li>(ii) habitats of protected species, important habitats or other diversity features; and</li> <li>(iii) water bodies in a river basin management plan,</li> </ul> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development</p>	<p><b>Reg Li) Plans in ES Figures (application document 6.3) Figure 7.1 (Statutory designated sites for nature conservation), Figure 7.2 (non-statutory designated sites for nature conservation), Figure 10.1 (National character areas), Figure 10.2 (South Downs Integrated character areas) Figure 11.7 (Potentially contaminated land). ). Assessment in Environmental Statement Chapters (Application document 6.2 Chapters 7, 10 and</b></p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development</p>	<p><b>Plans in ES Figures (application document 6.3) Figure 9.1 (Archaeological remains), Figure 9.2 (Historic Buildings) and Figure 9.3 (Historic Landscapes). Assessment is in ES Chapters (application document 6.2) chapter 9.</b></p>
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	<p><b>11. Reg Lii) Plans in ES Figures 7.3 (Ancient Woodland and priority habitats) and Figure 7.4 (Phase 1 habitat survey). Assessment in Assessment in Environmental Statement Chapters (Application document 6.2) chapter 7</b></p> <p><b>Reg Liii) See Appendix 8.6.1 (Water Framework Directive Surface Water Bodies)</b></p> <p><b>Appendix 8.6.2 (Water Framework Directive Groundwater Bodies and GWDTES). Assessment in Assessment in Environmental Statement Chapters</b></p>			
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		<b>(Application document 6.2) chapter 8.</b>			
	Is this of a satisfactory standard?			Is this of a satisfactory standard?	
n)	Where applicable, a plan with any accompanying information identifying any Crown land	<b>Application Document 2.4</b>	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	<b>Application Documents 2.6 and 2.7</b>
	Is this of a satisfactory standard?			Are they of a satisfactory standard?	
p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	<b>Doc Ref</b>	q)	Any other documents considered necessary to support the application.	<b>See chapter 1 of Planning Statement - application document 7.1</b>
	Are they of a satisfactory standard?			Are they of a satisfactory standard?	
30	Are there any observations in respect of the documents provided above?				
31	Is the application accompanied by a report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be		<b>Yes. See Habitats Regulations Assessment (application document 6.5)</b>		

	affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)? <sup>15</sup>	
32	If requested by the Secretary of State, two paper copies of the application form and other supporting documents and plans <sup>16</sup>	The Planning Inspectorate requested <b>0</b> paper copy and <b>6</b> electronic copies of the full DCO application documentation, in their correspondence on <b>12 April 2019</b>
33	Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Secretary of State considers satisfactory?	The DCLG guidance 'Planning Act 2008: Application form guidance' has been used to prepare the application form. The Applicant believes that the application has been prepared to a standard that the Secretary of State considers satisfactory.
<b>34</b>	<b>Summary - s55(3)(f) and s55(5A)</b>	The application has been prepared to a standard that the Secretary of State considers satisfactory.
<b>The Infrastructure Planning (Fees) Regulations 2010 (SI106)</b>		
<b>Fees to accompany an application</b>		
35	Was the fee paid at the same time that the application was made <sup>17</sup> ?	The Application Fee was received before submission of the application on 3 May 2019

<sup>15</sup> Regulation 5(2)(g) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>16</sup> Regulation 5(2)(r) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

<sup>17</sup> The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee must be paid at the same time that the application is made.

Electronic Signature	Name	Date
<b>Case Leader</b>		
<b>Acceptance Inspector</b>		