

The Lake Lothing (Lowestoft) Third Crossing Order 201[*]



Lake Lothing
**THIRD
CROSSING**

**Document 5.2:
Consultation Report Appendices**

Appendix 1 Planning Act 2008 Compliance Checklist

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Consultation Report Appendix 1

Planning Compliance Checklist

Demonstrates the consultation obligations imposed by:

- Sections 42, 46, 47, 48 and 49 of the Act
- The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
- The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009
- Department for Communities and Local Government (DCLG) Planning Act 2008: Guidance on the pre-application process
- Advice Note 14 – compiling the consultation report

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Reference to statutory provision relevant paragraph in guidance/advice note	Requirement	Action Taken	Date Undertaken
Planning Act 2008			
<u>Section 42</u> Duty to consult	The Applicant must consult the following about the proposed application:		
	(a) such persons as maybe prescribed;	The prescribed consultees were consulted at the commencement of the statutory consultation period. See Chapter 4 and Appendix 5 and 6 for more detail.	Letters and consultation documents were sent on 25 August 2017.
	(aa) the Marine Management Organisation;	The MMO were consulted at the commencement of the statutory consultation period. See Chapter 4 for more detail.	Letter and consultation documents were sent on 25 August 2017.
	(b) each Local Authority that is within Section 43;	Local authorities identified under section 43 of the Planning Act 2008 were consulted at the commencement of the statutory consultation period. The local authorities are	Letters and consultation documents were sent on 25 August 2017.

		identified in Table 6 in Chapter 4.	
	(c) the Greater London Authority if the land is in Greater London; and	As the land is not in Greater London, the Greater London Authority was not consulted.	Not applicable
	(d) each person who is within one or more of the categories set out in Section 44.	<p>Persons with an interest in land were consulted at the beginning of the statutory consultation period.</p> <p>Additional land interests were identified during and after the consultation as part of ongoing land referencing and changes to Order Limits. These consultees were given extended deadlines for comments.</p>	<p>Letters and consultation documents were sent on 25 August 2017. A copy of this letter is in appendix 9.</p> <p>Details of additional sections 42(1)(d) letters are outlined in chapter 12. Copies of the letters are in appendix 10.</p>
<u>Section 45</u> Timetable for consultation under Section 42	(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.	All persons consulted pursuant to Section 42 of the Planning Act 2008 were notified of the deadline for receipt of responses to the	The consultation period commenced on 4 September 2017 and closed on 23 October 2017. A copy of the letter which included

		<p>consultation. For persons identified pursuant to section 42(a), (aa) and (b) this date was included in the covering letter and in the section 48 notice. For persons identified under section 42(1) (d) this date (16 October 2017) was included in the letter.</p> <p>The Applicant elected to extend this deadline to 23 October 2017. Section 4.10 of the Consultation Report explains the actions taken by the Applicant to publicise this extension.</p>	<p>the deadline for responses is in appendix 9.</p> <p>In a limited number of circumstances, some consultees with land interests were consulted outside of the consultation period, This is further explained in Chapter 12. Copies of the letters sent including details of the deadline to consultation are in appendix 10.</p>
	<p>(2) A deadline notified under subsection (1) must not be earlier than the end of the period of 28 days that begins with the day after the day on which the person receives the consultation documents.</p>	<p>The consultation period commenced on 4 September 2017 and closed on 23 October 2017. This period was in excess of the statutory minimum of 28 days. See Chapter 4.</p>	<p>The consultation period commenced on 4 September 2017 and closed on 23 October 2017.</p>

		Any additional consultation undertaken all ran for at least 28 days as outlined in chapter 12.	
<p><u>Section 46</u></p> <p>Duty to notify Secretary of State of proposed application</p>	<p>(1) The applicant must supply the Secretary of State with such information in relation to the proposed application as the Applicant would supply to the Secretary of State for the purpose of complying with section 42 if the Applicant were required by that section to consult the Secretary of State about the proposed application.</p>	<p>Secretary of State and PINS were notified on 25 August 2017 The following documents were included with the notification:</p> <ul style="list-style-type: none"> • Section 46 letter to the Secretary of State; • A copy of the notice being published in accordance with section 48 of the Act; • A copy of the Consultation Booklet; • A copy of the Covering letter sent to consultees identified pursuant of section 42(1)(a), (aa) and (b); • A copy of the covering letter sent to consultees identified pursuant to section 42(1)(d). <p>A copy of the letter and acknowledgment is</p>	<p>25 August 2017</p>

		included in appendix 15.	
	(2) The Applicant must comply with subsection (1) on or before commencing consultation under section 42.	The letters sent pursuant to section 42 of the Planning Act 2008 were also sent on 25 August 2017 therefore the Secretary of State was notified at the same time as consultees pursuant to section 42.	25 August 2017
<p><u>Section 47</u></p> <p>Duty to consult local community</p>	(1) The applicant must prepare a statement setting out how the Applicant proposes to consult, about the proposed application, people living in the vicinity of the land	The applicant prepared a Statement of Community Consultation. This was published in accordance with the terms of the Planning Act 2008.	18 August 2018
	(2) Before preparing the statement, the applicant must consult each local authority that is within section 43(1) about what is to be in the statement.	<p>The Applicant consulted the host local authorities on the draft SoCC on 7 March 2017.</p> <p>See Chapter 5 for further detail and Appendices 16 - 19 for correspondence sent to the local authorities and their comments.</p>	<p>The consultation took place from 8 March to 4 April 2017.</p> <p>The further engagement took place with the local authorities in July 2017.</p>
	(3) The deadline for the receipt by the Applicant of a local authority's response to	The consultation period was 28 days, beginning	8 March to 4 April 2017

	<p>consultation under subsection (2) is the end of the period of 28 days that begins with the day after the day on which the local authority receives the consultation documents.</p>	<p>the day after the local authority received the consultation documents.</p>	
	<p>(5) In preparing the statement, the Applicant must have regard to any response to consultation under subsection (2) that is received by the Applicant before the deadline imposed by subsection (3).</p>	<p>Comments were received from the local authorities consulted on the draft SoCC. Following this the applicant made amends to the SoCC. The draft SoCC, comments and a revised SoCC can be found in Appendix 16 – 19.</p> <p>Table 7 in chapter 5 includes the Applicant's response to the comments received and explains the changes made to the SoCC</p>	
	<p>(6) Once the Applicant has prepared the statement, the Applicant must —</p> <p>(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,</p> <p>(a) publish, in a newspaper circulating in</p>	<p>The SoCC was made available for inspection at 6 deposit locations. See Table 10.</p> <p>A notice was published in three local press titles explaining where and</p>	<p>The SoCC was available for inspection from 18 August 2017 until 23 October 2017.</p> <p>The notices pursuant to section 47 of the Act were published in the</p>

	<p>the vicinity of the land, a notice stating where and when the statement can be inspected, and</p> <p>(b) publish the statement in such manner as may be prescribed.</p>	<p>when the SoCC could be inspected. Further information is included in table 8 and the notices are included at Appendix 21.</p> <p>No regulations were in force at the relevant time prescribing the manner in which the SoCC should be published.</p>	<p>Lowestoft Journal, The Waveney Advertiser and Eastern Daily Press on 18 August 2017 (see appendix 21).</p>
	<p>(7) The Applicant must carry out consultation in accordance with the proposals set out in the statement.</p>	<p>The Applicant has undertaken its consultation in accordance with the proposals in the SoCC. This is explained in table 8 in chapter 5.</p>	<p>4 September to 23 October 2017</p>
<p><u>Section 48</u></p> <p>Duty to Publicise</p>	<p>(1) The applicant must publicise the proposed application in the prescribed manner.</p> <p>(2) Regulations made for the purposes of subsection (1) must, in particular, make provision for publicity under subsection (1) to include a deadline for receipt by the Applicant of responses to the publicity.</p>	<p>SCC publicised the proposed application in accordance with the requirements of section 48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations. The notice was published for 2 consecutive weeks in 1 local newspaper,</p>	<p>The section 48 notice was published between the 18 August 2017 and 25 August 2017.</p>

		<p>The Lowestoft Journal, and for one week in the London Gazette and The Times. For further details see table 13 in Chapter 6. Appendix 31 includes a copy of the notices.</p>	
<p><u>Section 49</u> Duty to take account of responses to consultation and publicity</p>	<p>(1) Subsection (2) applies where the applicant—</p> <p>(a) has complied with sections 42, 47 and 48, and</p> <p>(b) proposes to go ahead with making an application for an order granting development consent (whether or not in the same terms as the proposed application).</p> <p>(2) The applicant must, when deciding whether the application that the applicant is actually to make should be in the same terms as the proposed application, have regard to any relevant responses.</p> <p>(3) In subsection (2) “relevant response” means—</p> <p>(a) a response from a person consulted under section 42 that is received by the applicant</p>	<p>The Consultation Report details how account has been taken of consultation responses received. See Chapters 8-12 and appendix 34.</p>	

	<p>before the deadline imposed by section 45 in that person's case,</p> <p>(b) a response to consultation under section 47(7) that is received by the applicant before any applicable deadline imposed in accordance with the statement prepared under section 47, or</p> <p>(c) a response to publicity under section 48 that is received by the applicant before the deadline imposed in accordance with section 48(2) in relation to that publicity.</p>		
<p>The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009</p>			
<p><u>Reg 3</u></p> <p>Prescribed consultees</p>	<p>The persons prescribed for the purposes of section 42(a) (duty to consult) are those listed in column 1 of the table in Schedule 1 to these Regulations, who must be consulted in the circumstances specified in relation to each such person in column 2 of that table.</p>	<p>The prescribed consultees were consulted at the beginning of the statutory consultation period.</p> <p>The process that the applicant adopted to identify all prescribed consultees is included in Chapter 4 and Appendix 5 and 6.</p>	
<p><u>Reg 4</u></p>	<p>(2) The applicant must publish a notice,</p>	<p>The applicant publicised</p>	<p>The section 48 notice</p>

	<p>which must include the matters prescribed by paragraph (3) of this regulation, of the proposed application—</p> <p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p> <p>(b) once in a national newspaper;</p> <p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p> <p>(d) where the proposed application relates to offshore development—</p> <p>(i) once in Lloyd’s List; and</p> <p>(ii) once in an appropriate fishing trade journal</p>	<p>the proposed application in accordance with the requirements of section 48 of the Planning Act 2008 and Regulation 4 of the APFP Regulations. The notice was published for two consecutive weeks in one local newspaper (The Lowestoft Journal) and for one week in the London Gazette and The Times. For further details see Chapter 6 and copies of the notices in appendix 31.</p> <p>As the Scheme does not comprise offshore development there was no requirement to publish the notice in the Lloyd's list or fishing journal.</p>	<p>was published between the 18 August 2017 and 25 August 2017.</p>
	<p>(3) 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</p>	<p>A copy of the section 48 notice is included at appendix 31. It includes those matters listed in paragraph 3 of Regulation 4.</p>	

	make an application for development consent to the Secretary of State;		
	(c) a statement as to whether the application is EIA development;		
	d) a summary of the main proposals, specifying the location or route of the proposed development;		
	(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;		
	(f) the latest date on which those documents, plans and maps will be available for inspection being date not earlier than the deadline in subparagraph (l));		
	(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		
	(l) 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.		
The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009			
<u>Reg 6</u> Procedure for establishing whether environmental impact assessment is required	<p>(1) A person who proposes to make an application for an order granting development consent must, before carrying out consultation under section 42 (duty to consult) either—</p> <p>(a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates; or</p> <p>(b) notify the Secretary of State in writing that the person proposes to provide an environmental statement in respect of that development.</p> <p>(3) A request or notification under paragraph (1) must be accompanied by—</p> <p>(a) a plan sufficient to identify the land;</p> <p>(b) a brief description of the nature and purpose of the development and of its possible effects on the environment;</p> <p>(c) such other information or</p>	<p>The applicant notified the Secretary of State under regulation 6(1)(b) of the EIA regulations that it proposes to provide an environmental statement in respect of the scheme. Alongside the notification, the applicant submitted a scoping report, requesting the SoS for a scoping opinion. This report included the information as required by 6(3)(a – c) of the EIA regulations. Further information is provided in Chapter 7 of the consultation report and the Environmental Statement.</p>	<p>The applicant notified the Secretary of State under Regulation 6(1)(b) on 28 February 2017.</p>

	representations as the person making the request may wish to provide or make.		
<u>Reg 10</u> Consultation statement requirements	<p>The consultation statement prepared under section 47 (duty to consult local community) must set out —</p> <p>(a) whether the development for which the applicant proposes to make an application for an order granting development consent is EIA development; and</p> <p>(b) if that development is EIA development, how the applicant intends to publicise and consult on the preliminary environmental information.</p>	<p>The SoCC is included at appendix 19. At paragraph 22 of that document there is a statement that confirms that the Scheme is an EIA development. The SoCC also explains how the Applicant intended to publicise and consult on the PEIR.</p>	
<u>Reg 11</u> Pre-application publicity under section 48 (duty to publicise)	<p>Where the proposed application for an order granting development consent is an application for EIA development, the applicant must, at the same time as publishing notice of the proposed application under section 48(1), send a copy of that notice to the consultation bodies and to any person notified to the Applicant in accordance with regulation 9(1)(c).</p>	<p>A copy of the section 48 notice was sent also sent to the consultation bodies and those persons identified in the Planning Inspectorate's Regulation 9 list.</p> <p>Further information is included in Chapter 6. Copies of the notices are included in appendix 31.</p> <p>The regulation 9 list</p>	<p>This Section 48 notice was included on the USBs sent to consultees on 25 August 2017.</p>

		<p>included the RNLI as a non-prescribed body. The RNLI did not respond to the Secretary of State's scoping consultation. The Applicant consulted the RNLI as a non-statutory consultee (see Appendix 13). The Applicant supplied a copy of the section 48 to this body on 11 June 2018.</p> <p>The Applicant was not notified of any persons under regulation 9(1)(c).</p>	
<p>DCLG Guidance¹</p>			
<p><u>Paragraph 25</u></p>	<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</p>	<p>The Applicant's Consultation Strategy sets out the broad principles adopted for its statutory consultation process including appropriate communications</p>	

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf

	<p>the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response.</p> <p>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>channels to use to raise awareness of the consultation and to contact consultees.</p> <p>Further detail is provided in Chapter 3 and Appendix 3.</p> <p>The Applicant liaised with SCC and WDC regarding the process for consultation and consultees.</p>	
<p><u>Paragraph 26</u></p>	<p>The Planning Act requires certain bodies and groups of people to be consulted at the pre-application stage, but allows for flexibility in the precise form that consultation may take depending on local circumstances and the needs of the project itself. Sections 42 – 44 of the Planning Act and Regulations set out details of who should be consulted, including local authorities, the Marine Management Organisation (where appropriate), other statutory bodies, and persons having an interest in the land to be developed. Section 47 in the Planning Act sets out the applicant’s statutory duty to consult local communities. In addition, applicants may</p>	<p>Throughout the Consultation Report compliance is shown with the Planning Act 2008 and EIA Regulations. Chapter 7 provides details of compliance with EIA. Appendix 5 and 6 list the relevant consultees.</p> <p>The Applicant has undertaken a range of non-statutory consultation, as set out in Chapter 5. Evidence</p>	

	<p>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>of this engagement is included in appendix 2.</p> <p>The lists of consultees can be found in appendices 5, 6 and 13.</p>	
<p><u>Paragraph 27</u></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 non-planning 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>The Applicant developed a comprehensive list of statutory and non-statutory consultees. These lists can be found in Appendix 5, 6 and 13.</p>	

<p><u>Paragraph 28</u></p>	<p>From time to time a body may cease to exist but, for legislative timetabling reasons, may still be listed as a statutory consultee. In such situations the Secretary of State will not expect strict compliance with the statutory requirements. Applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why.</p>	<p>Details of statutory consultees identified is in Appendices 5 and 6. The table shows all the statutory consultees identified and reasons why consultees were not notified if applicable.</p>	
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<p><u>Paragraph 29</u></p>	<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>The applicant has undertaken a range of stakeholder engagement activities in accordance with this advice, and in order that issues of concern could be discussed and resolved where possible. See Chapter 2 for further details.</p>	
<p><u>Paragraph 35</u></p>	<p>The applicant has a duty under section 47 of the Planning Act to prepare a Statement of Community Consultation, and then to conduct its consultation in line with that statement. Before doing so, the applicant must consult on their Statement of Community Consultation with each local authority in whose area the proposed development is situated. This may require consultation with a number of different local authorities, particularly for long, linear projects. In this situation, the local authorities in question should, as far as</p>	<p>Chapter 5 details the preparation of the Statement of Community Consultation and the involvement of the local authorities in that process.</p> <p>Table in 8 in chapter 5 details how the consultation was undertaken in accordance with the</p>	<p>The formal consultation took place from 8 March to 4 April 2017.</p>

	practicable, co-ordinate their responses to the applicant. This will ensure that the consultation proposals set out in the Statement are coherent, effective, and work across local authority boundaries.	Statement of Community Consultation.	
<u>Paragraph 36</u>	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.	The Applicant determined that the community interest in the Lake Lothing Third Crossing was from a much more widespread area than the immediate vicinity of the bridge. As a consequence neighbouring local authorities were also included in the consultation on the SoCC and the responses considered, as outlined Chapter 5.	The formal consultation took place from 8 March to 4 April 2017.
<u>Paragraph 37</u>	In its role as a consultee on the Statement of Community Consultation, the local authority should focus on how the applicant should consult people in its area. The comments that a local authority provides on the Statement of Community Consultation are separate from any views that authority may have on the merits of the proposals. They are also distinct from 'adequacy of consultation' responses. The Planning Act	The Applicant took care to ensure the relevant local authorities were involved in the development of the SoCC. The Applicant consulted with the host local authorities in the	A draft of the SoCC was informally presented to the host local authorities on 20 February 2017 ahead of the formal consultation on the contents of the SoCC that took place in March 2017. Further

	<p>requires local authorities to respond to the applicant's consultation on their proposed Statement of Community Consultation within 28 days of receipt of the request. However, 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>preparation of the SoCC, in order to give the local authorities an opportunity to provide feedback on the proposed method of consultation. Further detail of this exercise is in Chapter 5 and appendices 16-19 show how the Applicant has taken into account responses from the local authorities.</p>	<p>engagement took place in July 2017. Appendix 17 contains copies of the responses received by the Applicant on its formal consultation on the contents of the SoCC.</p>
<p><u>Paragraph 38</u></p>	<p>The role of the local authority in such discussions should be to provide expertise about the make-up of its area, including whether people in the area might have particular needs or requirements, whether the authority has identified any groups as difficult to reach and what techniques might be appropriate to overcome barriers to communication. The local authority should also provide advice on the appropriateness of the applicant's suggested consultation techniques and methods. The local authority's aim in such discussions should be to ensure that the people affected by the development can take part in a thorough, accessible and effective consultation exercise about the proposed project.</p>	<p>The applicant consulted with the host local authorities in the preparation of the SoCC, in order to give the local authorities an opportunity to provide feedback on the proposed method of consultation. Further detail of this exercise is in Chapter 5 and appendices 16-19.</p>	<p>The initial consultation with host local authorities in connection with the SoCC took place in March 2017.</p>

<p><u>Paragraph 39</u></p>	<p>Topics for consideration at such pre-consultation discussions might include:</p> <ul style="list-style-type: none"> • the size and coverage of the proposed consultation exercise (including, where appropriate, consultation which goes wider than one local authority area); • the appropriateness of various consultation techniques, including electronic-based ones; • the design and format of consultation materials; • issues which could be covered in consultation materials; • suggestions for places/timings of public events as part of the consultation; • local bodies and representative groups who should be consulted; and timescales for consultation. 	<p>The applicant consulted with the host local authorities in the preparation of the SoCC. Feedback was received in relation to locations for roadshows, the contact database, distribution of booklets, and publicity of the consultation. Further detail of this exercise is in Chapter 5 and appendices 16-19.</p>	<p>The initial consultation with host local authorities in connection with the SoCC took place in March 2017.</p>
<p><u>Paragraph 41</u></p>	<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 concerns raised which the Applicant wasn't able to address</p>	<p>N/a</p>
<p><u>Paragraph 42</u></p>	<p>Where a local authority decides that it does not wish to respond to a consultation request on the Statement of Community</p>	<p>The host local authorities responded to the Applicant's</p>	

	<p>Consultation, the applicant should make reasonable efforts to ensure that all affected communities are consulted. If the applicant is unsure how to proceed, they are encouraged to seek advice from the Inspectorate. However, it is for the applicant to satisfy themselves that their consultation plan allows for as full public involvement as is appropriate for their project and, once satisfied, to proceed with the consultation. Provided that applicants can satisfy themselves that they have made reasonable endeavours to consult with all those who might have a legitimate interest or might be affected by a proposed development, it would be unlikely that their application would be rejected on grounds of inadequate public consultation.</p>	<p>consultation requests in connection with the SoCC. The Applicant is satisfied that the approach adopted to consultation, as set out in the SoCC, allowed for full public involvement as appropriate to the scheme. Detail of how the consultation was implemented demonstrates this and is included in table 8 in Chapter 5.</p> <p>Both SCC and WDC confirmed in their consultation responses that the consultation was delivered in line with the SoCC.</p>	
<p><u>Paragraph 43</u></p>	<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 has been working closely with officers at SCC and WDC throughout the development of the project, particularly in relation to design, transport modelling, planning and</p>	<p>Ongoing</p>

		environment to ensure thorough understanding of local impacts.	
<u>Paragraph 44</u>	Local authorities will be able to provide an informed opinion on a wide number of matters, including how the project relates to Local Plans. Local authorities may also make suggestions for requirements to be included in the draft Development Consent Order. These may include the later approval by the local authority (after the granting of a Development Consent Order) of detailed project designs or schemes to mitigate adverse impacts. It will be important that any concerns local authorities have on the practicality of enforcing a proposed Development Consent Order are raised at the earliest opportunity.	The Applicant has been working closely with officers at SCC and WDC throughout the development of the project, particularly in relation to design, transport modelling, planning and environment to ensure thorough understanding of local impacts.	Ongoing
<u>Paragraph 49</u>	Applicants will also need to identify and consult people who own, occupy or have another interest in the land in question, or who could be affected by a project in such a way that they may be able to make a claim for compensation. This will give such parties early notice of projects, and an opportunity to express their views regarding them.	The Applicant identified and consulted people with an interest in the land that might be affected by the Scheme as defined by section 44 of the Act. The process by which it did this is explained in Chapter 4.	The consultation period commenced on 4 September 2017 and closed on 23 October 2017
<u>Paragraph 50</u>	It is the applicant's responsibility to demonstrate at submission of the application that due diligence has been	Additional land interests have been identified during the consultation	

	<p>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>and after. Letters were sent to them informing consultees that they have been identified and a 28 day consultation period provided. The letters also included land interest questionnaires.</p>	
<p><u>Paragraph 51</u></p>	<p>However, it is understood that land interests change over time and that new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.</p>	<p>Details are included in chapter 12. A list of consultees is included in appendix 6. The letters are included in Appendix 10.</p>	<p>Additional letters sent to newly identified interests or those affected by changes in in the Order Limits. The additional consultees were given at least 28 days to provide feedback. More information is provided in Chapter 12.</p> <p>In some instances new interests in land were identified shortly before the submission of the application following the close of the statutory consultation. Chapter 12 of the consultation report explains the steps the Applicant took to proactively notify those persons of its</p>

			<p>forthcoming application and explain how they could participate in the process.</p>
<p><u>Paragraph 52</u></p>	<p>Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.</p>	<p>Chapter 12 explains how, through ongoing land referencing work, the Applicant carried out a number of further consultations under section 42(1)(d) in respect of newly identified or newly occurring interests in land.</p> <p>Such consultees were provided at least 28 days to respond to the consultation. Chapter 12 also deals with any landowners / land interests identified during and after the close of the statutory consultation.</p> <p>In some instances new interests in land were identified shortly before the submission of the</p>	

		application following the close of the statutory consultation. Chapter 12 of the consultation report explains the steps the Applicant took to proactively notify those persons of its forthcoming application and explain how they could participate in the process.	
<u>Paragraph 53</u>	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. Because they live, work and socialise in the affected area, local people are particularly well placed to comment on what the impact of proposals on their local community might be; or what mitigating measures might be appropriate; or what other opportunities might exist for meeting the project's objectives.	Chapter 5 explains the applicant's actions in seeking to publicise the consultation and engage a wide range of stakeholder groups such as residents associations, in order to raise awareness and maximise participation	The statutory consultation period commenced on 4 September 2017 and closed on 23 October 2017.
<u>Paragraph 54</u>	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	Utilising a variety of methods and techniques was one of the objectives of the applicant's Consultation	

	<p>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 given their experience of carrying out consultations in their area.</p>	<p>Strategy, as explained in chapter 3 and in appendix 3. The set of consultation tools used to meet the objectives of the consultation exercise is set out and discussed in Chapter 5. Further detail is set out in Chapter 5 as to how such tools were used in the implementation of the consultation. Details on the methods of communicating the consultation were discussed with SCC and WDC as part of the development of the SoCC</p>	
<p><u>Paragraph 55</u></p>	<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</p>	<p>Chapter 3 explains the Applicant's approach to the materials utilised as part of the statutory consultation, why the various materials were used and how they satisfied the requirements of the guidance. Chapter 5 covers the consultation</p>	

	<p>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>booklet, consultation questionnaire, factsheets and technical reports.</p> <p>Chapter 5 explains how the applicant ensured equality in accessing documents including a translation panels were included on the Consultation Brochure and Leaflet. Copies of the consultation material are in Appendix 4.</p>	
<p><u>Paragraph 56</u></p>	<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 Applicant's consultation area spread further than the immediate vicinity of the bridge. As a consequence it proposed a range of tools for publicising section 47 consultation that would have a greater 'reach' than the immediate vicinity of the Scheme. See Chapters 5 for</p>	

		further detail.	
<u>Paragraph 57</u>	The Statement of Community Consultation should act as a framework for the community consultation generally, for example, setting out where details and dates of any events will be published. The Statement of Community Consultation should be made available online, at any exhibitions or other events held by applicants. It should be placed at appropriate local deposit points (e.g. libraries, council offices) and sent to local community groups as appropriate.	<p>The SoCC comprises a framework for the community consultation in connection with the scheme.</p> <p>Chapter 5 sets out how the finalised SOCC was published and made available to the public. It was available in hard copy at certain locations or by request and also online.</p>	<p>The SoCC was available for inspection from 18 August 2017 until 23 October 2017.</p> <p>The newspaper notices were published between 18 August 2017 and 25 August 2017.</p>
<u>Paragraph 58</u>	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.	The Applicant arranged for the section 48 notices to occur two weeks before the start of consultation as an aid to promote the consultation. Publicity under section 48 is detailed in Chapter 6 including a table listing the dates and titles in which the applicant's section 48 notice was publicised. Copies of the notices are included in appendix 31.	The section 48 notice was published between the 18 August 2017 and 25 August 2017.

<p><u>Paragraph 69</u></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 understand the nature of the project properly.</p>	<p>The applicant has had regard to the guidance in relation to early engagement in the preparation of its consultation strategy, as set out in Chapter 3. In addition, Chapter 2 provides detail of the non-statutory consultation and stakeholder engagement undertaken, which has also allowed the applicant to maximise consultee input.</p>	<p>Non-statutory consultation exercises were carried out over the period up to 4 September 2017. Further stakeholder engagement has been carried out since the end of the consultation, as outlined in Chapter 13.</p>
<p><u>Paragraph 70</u></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</p>	<p>A non-statutory consultation took place on the locations for the Third Crossing in June/July 2014. Details are included in chapter 2. A copy of this consultation outcomes is in Appendix 2.</p> <p>In addition business and port user consultations took place. Details can be found in</p>	<p>Non-statutory public consultation took place June/July 2014.</p> <p>A non-statutory business consultation took place in June 2015.</p> <p>A port user consultation took part in October 2015.</p>

	on which to undertake statutory consultation.	Chapter 2 and Appendix 2	
<u>Paragraph 71</u>	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.	The Applicant identified and consulted people with an interest in the land that might be affected by the scheme as defined by section 44 of the Act. Chapter 4 explains how these parties were consulted as part of the statutory consultation. A list of consultees is included in appendix 6.	The statutory consultation period commenced on 4 September 2017 and closed on 23 October 2017. Further consultations under section 42(1)(d) were carried out with newly occurring or newly identified interests following the close of the statutory consultation. Details are included in chapter 12.
<u>Paragraph 72</u>	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	It is explained in Chapter 4 that the applicant decided to extend the consultation period for a week to provide consultees with additional time to respond to the consultation. The consultation ran for 7 weeks in total.	The consultation period commenced on 4 September 2017 and closed on 23 October 2017.

	<p>consultation periods than this. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. It is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.</p>		
<p><u>Paragraph 73</u></p>	<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>	<p>A number of additional consultations took place due to additional land interests being identified and changes to order limits.</p> <p>In addition a consultation on traffic measure on Notley Road and Kimberley Road took place.</p> <p>Details are included in chapter 12.</p>	<p>Dates on additional consultation are included in chapter 12.</p>
<p><u>Paragraph 77</u></p>	<p>Consultation should also be fair and reasonable for applicants as well as</p>	<p>The applicant considers that the consultation it</p>	

	<p>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>has undertaken is proportionate to the impacts of the proposed Scheme, and has responded to anticipated levels of local interest. The applicant considered that community interest in the Lake Lothing Third Crossing Scheme was from a much more widespread area than the immediate vicinity of the bridge, and so proposed a range of tools for publicising section 47 consultation that would have a greater 'reach' than the immediate vicinity of the bridge. Details of the approach and how it was implemented in this respect are set out in Chapter 3, and demonstrate the wide Range of the consultation exercise and how the variety of measures utilised</p>	
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		<p>maximised public involvement. The Applicant's engagement with local authorities is set out in Chapters 4.</p>	
<u>Paragraph 78</u>	<p>Applicants are required under section 37 of the Planning Act to produce a consultation report alongside their application, which details how they have complied with the consultation requirements set out in the Act.</p>	<p>A Consultation Report has been prepared to support the applicant's application for development consent and as required by Section 37(3)(c) of the Planning Act 2008.</p>	
<u>Paragraph 80</u>	<p>Therefore, the consultation report should:</p> <ul style="list-style-type: none"> • provide a general description of the consultation process undertaken, which can helpfully include a timeline; • set out specifically what the applicant has done in compliance with the requirements of the Planning Act, relevant secondary legislation, this guidance, and any relevant policies, guidance or advice published by Government or the Inspectorate; • set out how the applicant has taken account of any response to consultation with local authorities on 	<ul style="list-style-type: none"> • An overview of the consultation is included in Chapter 3. • Chapter 5 explains how the applicant has consulted the relevant local authorities about the SoCC and taken into account the comments received. • Chapter 8-12 of this Consultation 	

	<p>what should be in the applicant's statement of community consultation;</p> <ul style="list-style-type: none"> • 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 explanation for the action taken or not taken; and • be expressed in terms sufficient to enable the Secretary of State to understand fully how the consultation process has been undertaken and significant effects addressed. However, it need not 	<p>Report detail what issues were raised in the statutory consultation and what account the applicant took of these. The applicant established a process to ensure that every issue raised in the statutory consultation would be comprehensively considered. This process is described in more detail in Chapter 8.</p> <ul style="list-style-type: none"> • The Consultation Report provides, from Chapters 8 to 11, a summary of the issues raised by respondents to the statutory consultation and 	
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	include full technical explanations of these matters.	explains how the applicant has taken account of these.	
<u>Paragraph 81</u>	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.	The Applicant has continued to promote the scheme and engage with key consultees since the consultation. Further details are in Chapter 13	
<u>Paragraph 83</u>	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.	The Applicant has continued to promote the scheme and engage with key consultees since the consultation. Further details are in chapter 13 When the application is submitted the Applicant will promote the Scheme through channels outlined in chapter 13.	
<u>Paragraph 84</u>	A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which	The Applicant has continued to meet with a range of stakeholders	

	<p>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>since the close of statutory consultation, including local authorities, landowners and other prescribed bodies. The purpose of these meetings has been to enable the applicant to continue to discuss the scheme, including responses to the statutory consultation.</p> <p>Details are included in Chapter 13.</p>	
<p><u>Paragraph 88</u></p>	<p>It is important to stress that pre-application consultation is a statutory duty for applicants, and it should, as this guidance makes clear, be carried out to a certain standard. Issues about the adequacy of consultation should be considered prior to the Inspectorate (on behalf of the Secretary of State) accepting an application for examination. Where any interested party feels that consultation was inadequately carried out, they should approach the applicant in the first instance. If consultees remain unsatisfied, they can complain to the relevant local authority (who can consider this complaint as part of their</p>	<p>The Applicant has complied with all statutory requirements, Advice Notes and statutory guidance with respect to its pre-application consultation, as evidenced by this Consultation Report.</p> <p>Any concerns about the consultation raised during consultation are outlined in Chapters 8-</p>	

	<p>representation to the Secretary of State on the adequacy of consultation), or the Secretary of State (through the Inspectorate). Any concerns should be raised promptly during or immediately following the consultation, to enable the applicant to address the issues if appropriate. In all cases, the final decision as to whether pre-application consultation was adequately carried out rests with the Secretary of State.</p>	<p>12 and in appendix 34.</p>	
<p><u>Paragraph 93</u></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 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</p>	<p>The applicant confirmed in its SoCC that the Lake Lothing Third Crossing scheme constitutes ‘EIA Development’ for the purposes of the EIA Regulations. The applicant set out in the SoCC how it would be publicising and consulting on the Preliminary Environmental Information Report, as part of the statutory consultation undertaken between 4 September 2017 and 23 October 2017.</p>	<p>Statutory consultation was undertaken between 4 September 2017 and 23 October 2017.</p>

	<p>therefore advisable to ensure access to such information is provided during all consultations. The applicant's Statement of Community Consultation must include a statement about how the applicant intends to consult on preliminary environmental information.</p>	<p>A non-technical summary of the PEIR was developed and available during the consultation to highlight the key content of the PEIR for non-specialist consultees. Further information in respect of how the PEIR was publicised and consulted upon is included in Chapter 7.</p>	
<p><u>Paragraph 96</u></p>	<p>It is the applicant's responsibility to consult with the relevant statutory bodies and, if they consider it necessary, with any relevant non-statutory nature conservation bodies, in order to gather evidence for such a report (to support a Habitats Regulations Assessment). This consultation should take place as early as possible in the pre-application process. One way of doing this is for an applicant to agree an evidence plan. 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. Further advice on Habitats Regulations Assessments for major infrastructure</p>	<p>Statutory consultees are identified in Appendix 5 and 6.</p>	

	projects is available from the Inspectorate's Advice Note.		
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Reference to statutory provision relevant paragraph in guidance/advice note	Requirement	Action Taken
Advice Note 14 - Compiling the consultation report		
	<p>An application must be accompanied by the applicant's consultation report prepared under section 37 of the 2008 Act. That report should draw together:</p> <ul style="list-style-type: none"> a. an account of the statutory consultation, publicity, deadlines set, and community consultation activities undertaken by the applicant at the pre-application stage under s42, s47 and s48 b. A summary of the relevant responses to the separate strands of consultation; and c. The account taken of responses in developing the application from proposed to final form, as required by s49(2). 	<p>Chapters 4, 5 and 6 of this Consultation Report provides an account of the Statutory consultation under sections 42, 47 and 48 of the Planning Act 2008.</p> <p>A summary of the responses to consultation and account taken of the responses received is included at Chapter 10.</p> <p>Full details are provided in Appendix 34.</p>
	<p>The primary purpose of the report is to capture and reflect upon all of the</p>	<p>Appendix 34 includes a response from the Applicant in respect of consultees responses.</p>

	responses received from these three distinct pre-application consultee groups and explain how the developer has met its duty (s49 of the Act) in the preparation of the application to have regard to the views expressed. The consultation itself should be carried out in a way that allows the submission of a robust and detailed report at application stage.	The response explains how the applicant has had regard to the comment raised and explained what changes, if appropriate, has been made to the Scheme. There is also a specific column which explains whether the consultee response has resulted in a change to the Scheme.
	The report can also capture non-statutory or 'informal' consultation that takes place outside the requirements of the Planning Act 2008 so that the Secretary of State has a comprehensive picture of all the consultation activity relevant to a particular project.	Chapter 2 details the non-statutory pre-application consultation that has taken place. Appendix 2 provides an overview of non-statutory engagement.
	Explain where DCLG guidance has not been followed in terms of the pre-application consultation.	The Applicant has complied with DCLG Guidance and relevant Advice Notes in the preparation of the consultation report. As outlined in this checklist.
	Provision of a quick reference guide, summarising the all the consultation activity in chronological order.	Table 3 in the Consultation Report provides a quick reference guide summarising all consultation undertaken (non-statutory and statutory) in chronological order that has taken place on the Scheme.
	Explanatory text should set the scene and provide an overview and narrative of the whole pre-application stage as it relates to the particular project.	Chapter 3 of this consultation report includes a summary of the overall approach to pre-application consultation
	Set out the wider historical context where	Chapter 1 of this consultation report includes a

	<p>national infrastructure projects have evolved over an extended period of time, perhaps with previous incarnations not coming to fruition for one reason or another. Give a brief description of any historic consultation activity including any information available about the scale and nature of the response at that time.</p>	<p>summary of the evolution of the Scheme from inception to the point of making an application for development consent.</p>
	<p>A full list of prescribed consultees should be provided as part of the Consultation Report. Explain where the prescribed consultees have been consulted on multiple occasions. Justify any instance where the applicant's list of prescribed consultees varies from the list of organisations set out in Schedule 1 of the APFP Regs 2009.</p>	<p>Appendices 5 and 6 to the Consultation Report list the prescribed consultees that have been consulted.</p> <p>Where a particular consultee has been consulted multiple time this is also noted in the appendix.</p> <p>There are no variations between the Applicant's section 42(1)(a) list and Schedule 1 of the APFP Regs 2009.</p>
	<p>The list of organisations set out in schedule 1 of the APFP should be followed in terms of the order in which the consultees are presented.</p>	<p>Appendix 5, which lists the prescribed consultees is set out in the same order as Schedule 1 of the APFP Regulations.</p>
	<p>A short description of how s43 of the Act has been applied in order to identify the relevant local authorities should be included. This could be supported by a map showing the site and identifying the boundaries of the relevant local authorities.</p>	<p>The application of section 43 of the Planning Act 2008 and the authorities contacted during statutory consultation is described in Chapter 4 of this Consultation Report.</p>

	Section 44 parties to be identified as a distinct element of the wider section 42 consultation.	Section 44 parties were identified as persons with an interest in land. Appendix 6 provides a list of PILs consulted under section 42 of the Planning Act 2008.
	Where compulsory acquisition forms part of the draft DCO the consultees who are also included in the book of reference for compulsory acquisition purposes should be highlighted in the consolidated list of prescribed consultees.	Appendix 6 provides details of all those with a potential interest in the land.
	Provide a summary of the rationale behind the SoCC methodology.	Chapter 5 of this Consultation Report provides a summary of the rationale behind the SoCC.
	Evidence should be submitted as part of the consultation report which shows which local authorities were consulted about the content of the draft SoCC; what the local authorities' comments were; confirmation that they were given 28 days to provide their comments and a description about how the applicant had regard to the local authorities' comments.	Chapter 5 of this Consultation Report how local authorities were consulted on the draft SoCC content. Chapter 5 includes additional information, including the time scales of the informal discussions, the first statutory consultation and the final statutory consultation. It also details how the applicant took into account the consultees comments.
	Copies of the published SoCC as it appeared in the local press should be provided along with confirmation of which local newspapers it was published in and when.	A copy of the section 47 notice publicising where and when the SoCC can be inspected is included at Appendix 21. Chapter 5 confirms the local newspapers in which the section 47 notice was published and the corresponding dates.
	Explain/justify where there were any inconsistencies with the SoCC, for example where additional activities took place that were not included in the SoCC.	All of the activities specified in the SoCC were delivered. Table 8 in Chapter 5 lists the commitments contained in the SoCC and an explanation as to how the applicant met each of

		these. Chapter 5 also provides for additional activities SCC undertook in respect of consultation under section 47 that were not specified in the SoCC including stakeholder meetings.
	Set out the relevant local authorities' views about any changes made to the consultation methodology that were not dealt with by way of review of the SoCC	Table 7 in chapter 5 shows how comments on the SoCC were dealt with. All issues raised by local authorities were dealt with.
	A copy of the s48 notice as it appeared in the local and national newspapers, together with a description of where the notice was published and confirmation of the time period given for responses should be included in the report. Applicants should also provide confirmation that the s48 notice was sent to the prescribed consultees at the same time as the notice was published. A description of the consultation material used and how the prescribed consultees were able to access it would also be useful.	<p>A copy of the Section 48 notice is included at Appendix 31. Chapter 6 of this consultation report explains where the notice was published and the timescales for consultation responses to be provided.</p> <p>Chapter 6 also confirms that a copy of the Section 48 notice was sent to the consultation bodies and all persons identified on the Regulation 9 list.</p> <p>The consultation materials are described in Chapter 5 and copies on the materials are included in appendix 4.</p>
	Indicate and identify separately in the report any consultation undertaken outside of the requirements of the Act.	The non- statutory consultation and engagement is explained in chapter 2 of this Consultation Report and appendix 2.
	Include a description of the consultation undertaken as part of the EIA regime as a separate part of the report.	The consultation undertaken pursuant to the EIA regime is explained in chapter 7 of the Consultation Report.
	If appropriate, group responses under headline issues. Where this approach has	The Applicant has grouped the responses it received to the statutory consultation according

	<p>been adopted identify and explain this approach, including any safeguards and cross checking.</p>	<p>to a series of themes and issues, the analysis process is described in Chapter 8. The consideration of responses is included in chapter 10 and Appendix 34.</p> <p>An overview of responses are provided in Chapter 8 and 9.</p>
	<p>A list of the individual responses received should be provided and categorised in an appropriate way.</p>	<p>Appendix 34 includes a table which lists all of the issues raised in the statutory consultation and identifies which respondents raised each of these.</p>
	<p>Advise that applicants group responses under three strands of consultation:</p> <ul style="list-style-type: none"> • section 42 prescribed consultees (including sections 43 and 44) • section 47 community consultees • section 48 responses to statutory publicity <p>Make a further distinction within those categories by sorting responses according to whether they contain comments which have led to changes to matters such as siting, route, design, form or scale of the scheme itself, or to mitigation or compensatory measures proposed, or have led to no change.</p>	<p>Appendix 34 summarise the issues raised by respondents to the statutory consultation and identifies under which strand of consultation they were received and whether or not the Applicant changed the Scheme as a result.</p> <p>Chapter 10 details of the section 42 and section 47 responses.</p> <p>Chapter 11 provides details of section 48 responses.</p> <p>Chapter 12 provides details of the additional consultations.</p>
	<p>A summary of responses by appropriate</p>	<p>Appendix 34 summarise the issues raised by</p>

	category together with a clear explanation of the reason why responses have led to no change should also be included, including where responses have been received after deadlines set by the applicant.	respondents to the statutory consultation and identifies whether the applicant's consideration of each issue had led to a change to the scheme. Where the applicant was not able to change the scheme as requested by a respondent, this is also explained in these chapters.
	Where a resolution has not been reached in areas of disagreement a summary should be provided.	Appendix 34 summarise the issues raised by respondents to the statutory consultation and identifies whether the applicant's consideration of each issue had led to a change to the scheme. Where the applicant was not able to change the scheme as requested by a respondent, this is also explained in these chapters.
	Ensure that the addresses and other contact information of private individuals are treated appropriately within the context of this statutory process e.g. ensure it has been fully redacted.	All details of private individuals have been redacted.