

Mr Duncan Law  
Senior Development Management Officer  
T: 01933 231504  
E: dlaw@wellingborough.gov.uk

FAO George Harrold  
National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol,  
BS1 6PN

**Date: 02 March 2021**

**Your Ref: TR010044**

**Our Ref: NW/21/00167/EXT**

**Without Prejudice**

Dear George Harrold

**Proposal: Application by Highways England for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Road Improvement Scheme**

**Case Officer: Mr Duncan Law**

Thank you for your letter dated 26 February 2021 requesting views on the adequacy of the pre-application consultation in respect to the Application by Highways England for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Road Improvement Scheme.

PINS invited the Council to advise whether the Council considers that the developer has complied, in relation to the application, with the following duties under the Planning Act 2008 (as amended) (PA2008):

Duty to consult - PA2008 – section 42. Section 42 requires consultation with certain persons specified in the Act and prescribed in regulations.

Duty to consult the local community - PA2008 – section 47. Section 47 requires applicants to prepare a “Statement of Community Consultation”(SoCC) in consultation with relevant Local Authorities which sets out how the developer intends to consult the local community on its proposals. The developer must then publish the SoCC and undertake statutory consultation in accordance with it.

Duty to publicise - PA2008 – section 48. Section 48 requires that details of the statutory consultation be publicised via a series of notices in the local and national press.

We have reviewed the ‘A428 Black Cat to Caxton Gibbet improvements TR010044 Volume 6 5.1 Consultation Report’. It is our view that Highways England have complied with the duty to consult (section 42 of the Act), the duty to consult the local community (Section 47 of the Act) and the duty to publicise (Section 48 of the Act). We have reached this conclusion due to the following reasons:

The statutory consultation was undertaken between 3 June 2019 and 28 July 2019 (a period of 56 days). This exceeded the statutory requirement of a minimum period of 28 days within which to respond following the day on which the consultees received the consultation documents (s45

PA 2008) and following the date when the s48 press notice was last published (Regulation 4 of the APFP Regulations).

Highways England prepared a Statement of Community Consultation and a Community Consultation Strategy setting out their proposal for consulting as required by Section 47. A full list of consultees identified in accordance with section 42(1)(a) and (b) included landowners and others with an interest in the land.

Highways England set a deadline for the receipt of response of at least 28 days. On several occasions the deadline was considerably longer than the statutory minimum timescales. Regarding publicity, we consider that Highways England publicised the application in the prescribed manner and that they included a deadline for receipt of responses to the publicity as required by section 48. Highways England's Statement was publicised on their website and in newspapers. We consider that they have carried out their consultations in accordance with the proposals set out in the statement.

I hope the above advice is of assistance.

Yours faithfully,



D Law  
Senior Development Officer  
Borough Council of Wellingborough