

## ADEQUACY OF CONSULTATION RESPONSE

1. Under section 55 of the Planning Act 2008, certain local authorities must be consulted about whether an applicant has complied with their duties under sections 42, 47 and 48 of the Act.
2. The Planning Inspectorate's letter of 3 May 2023 notified Cambridgeshire County Council (the Council) of the submission of the application for a Development Consent Order (DCO) by Anglian Water for the Cambridge Waste Water Treatment Plant Relocation. The letter invites the council to submit a representation relating to the adequacy of the Applicant's pre-application consultation.
3. For the avoidance of doubt this response constitutes the representation from Cambridgeshire County Council only.
4. The Planning Inspectorate (PINS) has invited the Authorities to advise whether the Applicant 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 Applicant intends to consult the local community on its proposals. The Applicant 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.

### Duty to consult - PA2008 – section 42

Regarding this application, the Applicant must consult the following about the proposed application:

- Such persons as may be prescribed

As defined in Regulation 3, the Applicant consulted all prescribed and Schedule 1 of the Applications: Prescribed Forms and Procedure Regulations 2009, as amended by the Infrastructure Planning (Prescribed Consultees and Interested Parties etc.) (Amendment) Regulations 2013 and further consulted with nonprescribed consultees. A list of all consultees was provided in the Consultation report.

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- Each local authority that is within Section 43

The Applicant has provided a list of the local authorities consulted on the project as identified within Section 43. The following local authorities (classified from A to D) were consulted upon:

- South Cambridgeshire District
- East Cambridgeshire District
- Huntingdonshire District Council
- Cambridge City Council
- Uttlesford District Council
- North Hertfordshire District Council
- Braintree District Council
- West Suffolk District Council
- Northamptonshire Council
- Bedford Borough Council
- Central Bedfordshire Council
- Peterborough City Council
- Cambridgeshire County Council
- Norfolk County Council
- Suffolk County Council
- Essex County Council
- Lincolnshire County Council
- Hertfordshire County Council

- Each person who is within one or more of the categories set out in Section 44

The Applicant consulted each person who is within one or more of the categories set out in Section 44 of the 2008 Act and these consultees were provided in the A list of all consultees was provided in the Consultation report.

### Duty to consult the local community - PA2008 – section 47

This section requires the Applicant to prepare and publish a statement setting out how it proposes to consult local people about the proposed application.

The Statement of Community Consultation was published by the Applicant to the Council on 09 June 2021. Prior to the publication of the SoCC, the Applicant sent the draft to local authorities on the 18 February 2021 requesting comments by 19 March 2022, which exceeded the statutory minimum of 28 days under Section 47(3) of the 2008 Act.

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### *Applicant's informal consultation:*

The Applicant conducted the informal consultation in two phases from 2020 through to 2021:

- All phases of the consultations were carried out by sending information leaflets (14,447 leaflets in Phase One and 9,731 leaflets in Phase 2) to local homes and businesses, advertising in the Cambridge Independent and Cambridge News and holding virtual exhibitions, webinars, and meetings.
- The premise of Phase One of the consultation was to gain views on three potential sites for the location of the water treatment centre. Due to COVID-19 restrictions, the consultation for this phase took place online. Following on from the public consultation 8<sup>th</sup> July to 19<sup>th</sup> August 2020, officers from Cambridgeshire County Council were also engaged with to discuss the site selection.
- Phase Two of the consultation focussed on sharing the early proposal for the new site, which included asking for views on options for permanent vehicle access points and the landscape proposal. Furthermore, Phase Two of the consultation also asked for input into the design of the facility. This took place between 23<sup>rd</sup> June and 18<sup>th</sup> August 2021.

### *Applicant's statutory consultation:*

Prior to the statutory consultation, officers at Cambridgeshire County Council were updated on 20 December 2021 regarding the scheme development following on from Phase One and Two of the informal consultation. The statutory consultation took place from 24 February to 27 April 2022 and sought to gain feedback on the detailed design of the facility. This consultation was advertised in the following throughout February 2022; The Guardian, London Gazette, Cambridge Independent and Cambridge News. There was a webinar and in-person events at the following locations throughout March 2022; Milton Community Centre, Fen Ditton Church Hall, Quy Village Hall, Waterbeach Tillage Hall and Horningsea Pavilion. In addition, 10,767 community consultation leaflets were issued to local homes and businesses.

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### Duty to publicise - PA2008 – section 48

This section outlines that the Applicant must publicise the proposed application in the prescribed manner.

The Consultation Report provided by the Applicant contains notices that were published in the following:

- The London Gazette (24 February 2022)
- The Guardian (24 February 2022)
- Cambridge Independent (16 February 2022 and 23 February 2022)
- Cambridge News (17 February 2022 and 24 February 2022)

The Applicant published the consultation to fulfil Section 48 from 24 February 2022 until 27 April 2022 and notified consultees of the Preliminary Environmental Information Report- the Applicant provided a period of 62 days for comments from the consultees.

### Technical Working Groups

The Applicant set up a series of technical working groups during all stages of the consultation to discuss the following topics with officers from the Council and neighbouring Councils:

- Agricultural and soil resources
- Air Quality
- Biodiversity
- Carbon
- Climate Resilience
- Historic Environment
- Landscape and Visual
- Noise and Vibration
- Odour
- Public Rights of Way “PROW”
- Recreation
- Traffic and Access
- Water Resources

### Conclusion

The Council have reviewed the Consultation report and to confirm, the Council considers that the Applicant has met the legislative requirements under sections 42, 47 and 48 of the Planning Act 2009.