

**Draft Factual Check of the Statement of Community Consultation (SoCC) against Legislation and Guidance**  
**Draft SoCC EN010080 - Hornsea Project Three Offshore Wind Farm**

Statement of Community Consultation			
Legislation/Guidance	Section	Requirement	
PA 2008 and DCLG Guidance on pre-application process 2015	s.47(2) and Paragraph 35	The applicant must consult each Local Authority (LA) defined in s.43(1) about what is to be in the SoCC.	<i>Outside the SoCC</i>
PA 2008	s.47(3)	LA deadline for commenting on the draft SoCC (at least 28 days).	<i>Outside the SoCC but confirmed at meeting on 31 August 2018 as running from 27 July 2016 to 9 September 2016</i>
PA 2008	s.47(5)	Developer must have regard to any response from a relevant LA.	N/A
PA 2008	s.47(za)	Make the statement available for inspection by the public in a way that is reasonably convenient for the public living in the vicinity of the land.	Yes. Local media, various community information points and the project webpage.
PA 2008	s.47(6)(a)	Publish SoCC in a newspaper circulating in the vicinity of the land.	Yes
PA 2008	s.47(6)(b)	Publish SoCC in such other manner as may be prescribed.	Yes
EIA Regulations 2009	Regulation 10(a)	The SoCC must state whether the development is EIA development.	Yes, the SoCC states the project is EIA development
EIA Regulations 2009	Regulation 10(b)	The SoCC must state how the developer intends to publicise and consult on preliminary environmental information.	Yes, covered in 'Public Consultation section 'Phase 2' subsection, along with definition of PEIR in the Environmental Information section.
DCLG Guidance on pre-application process 2015	Paragraph 20	Is the SoCC clear on what is being consulted upon	This is covered under The Planning Process section. Applicant may wish to seek advice from local authorities on whether this is sufficiently detailed
DCLG Guidance on pre-application process 2015	Paragraph 23	Make the Statement of Community Consultation available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed.	Covered in 'How we will consult with you?' section. Applicant may wish to seek advice from local authorities on this aspect. You should also have regard to any comments received during the consultation process on availability of information and capture how you've done so in your consultation report.

DCLG Guidance on pre-application process 2015	Paragraph 23	Set a deadline for consultation responses of not less than 28 days from the day after receipt/last publication	The SoCC does not specify how long the consultation periods are. It only gives the final day for commenting on phase one consultation. Phase two will be second half of 2017. (The Consultation timeline however gives s47 as a minimum of 28 days.)
DCLG Guidance on pre-application process 2015	Paragraph 24	Is the SoCC describing a consultation process which is appropriate to the scale and nature	Applicant may wish to seek advice from local authorities on this aspect. You should also have regard to any comments received during the consultation process on the nature and scale of your consultation and capture how you've done so in your consultation report..
DCLG Guidance on pre-application process 2015	Paragraph 26	Does the SoCC seek the views of other people who are not statutory consultees, but who may be significantly affected by the project?	Covered in 'Who will we consult?' section - the SoCC could make it clearer that anyone can comment on the application regardless of consultee statue.
DCLG Guidance on pre-application process 2015	Paragraph 36	Does the SoCC outline consultation of people living in the wider area who might be affected by the project, for example the neighbouring authority?	Covered in the consultation zone map
DCLG Guidance on pre-application process 2015	Paragraph 42	Has the applicant made reasonable efforts to ensure all communities are consulted	The SoCC could be revised to explain how consultation material can be provided for hard to reach groups
DCLG Guidance on pre-application process 2015	Paragraph 54	Does the consultation techniques and methods ensure all local communities can access the consultation material	The SoCC could specify how the applicant hard to reach groups, people with mobility issues or other disabilities or people traveling into the area for work or leisure. This should be covered in the Consultation Report on submission of the application.
DCLG Guidance on pre-application process 2015	Paragraph 55	Does the SoCC describe the project in a clear and non-technical language?	From the Planning Inspectorate's point of view it does. The applicant may also wish to confirm this with the relevant local authorities.
DCLG Guidance on pre-application process 2015	Paragraph 55	Is the SoCC available in formats suitable for people with disabilities	The SoCC does not appear to mention any other formats and could be revised to reflect this.

DCLG Guidance on pre-application process 2015	Paragraph 55	Is the SoCC also available in Welsh (Projects affecting Wales only)	N/A
DCLG Guidance on pre-application process 2015	Paragraph 56	Has the applicant set out in the SoCC how they propose to consult those living in the vicinity of the land? They are encouraged to consider consulting beyond where they think doing so may provide more information on the impacts of their proposal eg: traffic flows, visual impacts.	Covered in 'How will we consult with you and the consultation zone map. See comments relating to DCLG guidance, paragraph 20.
DCLG Guidance on pre-application process 2015	Paragraph 57	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	Covered in 'How will we consult with you?
DCLG Guidance on pre-application process 2015	Paragraph 57	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.	It would be helpful if the applicant could confirm this in your consultation report.