



# **Frodsham Solar Consultation Report Appendix 1: Statement of Compliance**

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**May 2025**



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**Planning Act 2008; and Infrastructure Planning**

**(Applications: Prescribed Form and Procedure) Regulations**

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## 1. Statement of Compliance

### APFP Regulation 5(2)(q); Planning Act 2008; and Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

**Table 1.1: Compliance Checklist for the Planning Act 2008**

| Section       | Requirement  | Compliance   |
|---------------|--|--|
| Section 42(1) | Duty to consult  |  |
|               | (a) such persons as may be prescribed;                                 | <p>Yes, the Applicant has consulted all relevant prescribed consultees; as defined in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) (including as amended in 2024) and regulation 11(1)(b) parties notified to the Applicant by the Planning Inspectorate pursuant to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>This is evidenced in Sections 4.4 and 7.2 of the Consultation Report and Appendix 6.</p> <p>In addition to this, the Applicant consulted further 'non-prescribed' persons, as set out in Appendix 6.</p> |
|               | (aa) the Marine Management Organisation (MMO)                          | The Applicant notified the Marine Management Organisation at the same time as other prescribed consultees as defined in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) (as amended), notwithstanding that the Proposed Development does not involve works in the marine environment.   |
|               | (b) each local authority that is within section 43;                    | The Applicant consulted each local authority that is within S.43. The relevant local authorities are detailed in Table 7.1 of the Consultation report.   |
|               | (c) the Greater London Authority if the land is in Greater London; and | Not applicable as this Proposed Development is located outside of Greater London.  |
|               | (d) each person who is within one or more of the                       | Yes, the Applicant consulted each person who is within one or more of the categories   |

| Section   | Requirement  | Compliance   |
|---|--|--|
|   | categories set out in section 44.  | set out in Section 44. This is set out in Section 7.5 of the Consultation Report.  |
| Section 45<br>(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.                    | The Applicant notified all those consulted under section 42 of the deadline in writing by email and/or post. Chapter 7 of the Consultation Report details the Section 42 consultees contacted and the materials sent to them.  |
|   | (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>All defined statutory consultation periods for the Proposed Development have exceeded 28 days.</p> <p>The Applicant undertook statutory consultation from 07 November 2024 to 19 December 2024. Section 42 consultees were formally notified of the commencement of statutory consultation on or before 07 November by written letter and/or email. The deadline for responding to the Section 42 consultation was 19 December 2024 which provide a consultation period of 43 days which exceeded the 28-day requirement.</p> <p>Subsequent consultations in 2025 also exceeded 28 days.</p>            |
|   | (3) In subsection (2) "the consultation documents" means the documents supplied to the person by the applicant for the purpose of consulting the person.   | <p>The consultation documents provided to Section 42 consultees comprised of:</p> <ul style="list-style-type: none"> <li>• A covering letter, including a link to the consultation materials, including the PEIR, PEIR NTS and community consultation materials;</li> <li>• A site plan showing the location of the Proposed Development; and</li> <li>• A copy of the notice publicising the application under Section 48 of the Planning Act 2008 (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge).</li> </ul> |



| Section   | Requirement   | Compliance   |
|---|---|--|
|   |   | <p>The PEIR NTS was distributed to all CAPs for members of the public to view. Furthermore, the Applicant liaised with all the CAPs prior to their selection to ensure they had access to the internet and devices were available for free to the public so that the PEIR could be viewed at the public's leisure for no charge.</p> <p>A USB with all of the above materials was also available upon request, free of charge. Printed copies were also available on request, with a reasonable charge of up to £500.</p> <p>Further details of how the Applicant distributed relevant consultation materials is detailed in Section 6.3 of the Consultation Report.</p> |
| Section 46<br>(Duty to notify Secretary of State of proposed application) | <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>(2) The applicant must comply with subsection (1) on or before commencing consultation under section 42.</p> | <p>The Applicant notified the Secretary of State, via the Planning Inspectorate, in writing under Section 46 of the Planning Act 2008 on 05 November 2024. Details of the information provided by the Applicant is described in Section 7.6 of the Consultation Report, with copies of the documents provided available in Appendix 6: Section 42 Consultation Materials <b>[EN010153/DR/5.2]</b> and Appendix 7: Section 48 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p>  |
| Section 47<br>(Duty to consult the  | (1) The applicant must prepare a statement setting out how the  | The Applicant prepared and published a Statement of Community Consultation (SoCC) on 25 May 2023. Details on the   |

| Section          | Requirement   | Compliance   |
|------------------|---|--|
| local community) | applicant proposes to consult, about the proposed application, people living in the vicinity of the land.   | preparation of the SoCC, including consultation with local authorities on drafts are available in Chapter 5 of the Consultation Report and in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b>   |
|                  | (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>To inform the preparation of the SoCC, the Applicant consulted relevant local authorities that within Section 43(1) about the content of the SoCC, namely:</p> <ul style="list-style-type: none"> <li>• Cheshire West and Chester Council.</li> <li>• Halton Borough Council</li> </ul> <p>To inform the preparation of the SoCC and subsequently the SoCC Addendum (which aimed to set out in more detail how Phase One and Phase Two consultation would be undertaken), the Applicant consulted both Cheshire West and Chester Council and Halton Borough Council. This was because properties within the CCZ remained within their administrative area, and for consistency in approach between consultations regarding the SoCC.</p> <p>Further information on the development of the SoCC is available in Section 5.2, Section 5.6, Table 5.2 and Table 5.3 of the Consultation Report, as well as Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> |
|                  | (3) The deadline for the receipt by the applicant of a local authority's response to 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>The Applicant formally consulted with Cheshire West and Chester Council and Halton Borough Council on the draft SoCC from 05 April 2023 to 05 May 2023. Comments provided on the draft SoCC are available in Table 5.2 of the Consultation Report.</p> <p>The Applicant then invited comments on the SoCC addendum with Cheshire West and Chester Council and Halton Borough Council. Comments provided on the draft</p>  |

| Section | Requirement   | Compliance   |
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|         |   | SoCC Addendum are available in Table 5.3 of the Consultation Report.   |
|         | (4) In subsection (3) “the consultation documents” means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).   | <p>The consultation documents supplied by the Applicant included a covering letter and email, and the draft SoCC. This is set out in Section 5.2 of the Consultation Report.</p> <p>This activity was repeated for SoCC Addendum. This is set out in Section 5.6 of the Consultation Report.</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>The Applicant had regard to all relevant comments received on the draft SoCC.</p> <p>The Applicant shared a response table with each local authority to explain how their comments had been considered. This is included in section 5 of the Consultation Report.</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 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>The final SoCC was publicised in accordance with Section 47 of the 2008 Act on 25 May 2023.</p> <p>The SoCC was uploaded to the document library on the Applicant’s website and made available to view and collect from the public venues (Community Access Points) listed below:</p> <p><b>Community Access Points:</b></p> <ul style="list-style-type: none"> <li>• Frodsham Library</li> <li>• Helsby Library</li> <li>• Ellesmere Port Library</li> </ul> <p>Notices were published in the Chester Chronicle and the Chester Standard on 25 May 2023 to publicise the SoCC and its availability.</p> <p>The publication of the SoCC was also communicated through emailing identified key stakeholders and any party that had</p> |

| Section   | Requirement  | Compliance   |
|---|--|--|
|   |  | registered to be kept informed of project updates.   |
|   | (7) The applicant must carry out consultation in accordance with the proposals set out in the statement.   | <p>The Applicant undertook consultation under Section 47 of the 2008 Act in accordance with the SoCC.</p> <p>This is evidenced in Table 5.4 in this document and in Section 5.8 of the Consultation Report.</p>  |
| Section 48<br>(Duty to publicise)   | (1) The applicant must publicise the proposed application in the prescribed manner.  | <p>The Applicant prepared and publicised the application in the prescribed manner set out in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 by publishing a Section 48 notice.</p> <p>Details of where the Section 48 Notice was published is set out in Table 8.1 of the Consultation Report.</p> <p>It was determined by the Applicant that it was not required to place a notice within Fishing News or Lloyds List, as the Project does not include any offshore development.</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>The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 requires that a deadline for receipt of responses to Section 42 consultation made pursuant to Section 48 of the Planning Act 2008 is no less than 28 days (Regulation 4(3)(i)). The Section 48 notice included a deadline of 19 December 2024 for receipt of responses to the publicity. The final notice was published on 07 November 2024, providing a total of 43 days for responses, therefore exceeding the 28 days statutory minimum response time.</p> |
| Section 49<br>(Duty to take account of responses to consultation and publicity) | (1) Subsection (2) applies where the applicant —<br>(a) has complied with sections 42, 47 and 48, and<br>(b) proposes to go ahead with making an application for an order granting                               | <p>The Applicant has had regard to all relevant responses made pursuant to Section 42, Section 47 and Section 48.</p> <p>All relevant responses received and how the Applicant has considered these is set out in Appendix 9: Phase Two Section 47 Applicant Responses [EN010153/DR/5.2], and</p>  |

| Section  | Requirement  | Compliance   |
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|  | <p>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 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>Appendix 10: Section 42 Applicant Responses <b>[EN010153/DR/5.2]</b> to the Consultation Report. A summary of responses received is provided in Section 9.4 and Section 10.1 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> |
| Section 50<br>(Guidance about pre-application procedure) | <p>(1) Guidance may be issued about how to comply with the requirements of this Chapter.</p>   | <p>The Applicant has had regard to the Department for Communities and Local Government (DCLG, 2015), Planning Act 2008: guidance on the pre-application process.</p>   |



| Section | Requirement   | Compliance   |
|---------|---|--|
|         | <p>(2) Guidance under this section may be issued by the Secretary of State.</p> <p>(3) The applicant must have regard to any guidance under this section.</p> | The Applicant has also had regard to updated guidance published by the Planning Inspectorate in April 2024 and the updated Advice Note on the Consultation Report, published in August 2024. |

**Table 1.2: Compliance Checklist for The Infrastructure Planning: (Application: Prescribed Forms and Procedure) Regulations 2009**

| Ref  | Requirement  | Compliance  |
|--|--|---|
| <b>The Infrastructure Planning: (Application: Prescribed Forms and Procedure) Regulations 2009</b> |  |   |
| Reg 3  | 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 person in column 2 of that table.  | The Applicant consulted under Section 42 with all persons prescribed in Schedule 1 listed in column 1 deemed relevant to the application by the descriptions set out in column 2. This is evidenced in paragraph 2.1.3 and Appendix 6 of the Consultation Report.   |
| Reg 4(1)   | This regulation prescribes for the purpose of section 48(1) (duty to publicise), the manner in which an applicant must publicise a proposed application.   | The Applicant published a section 48 notice for the Proposed Development.   |
| Reg 4(2)   | <p>The Applicant must publish a notice, 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>The Applicant published a section 48 notice which included all the matters set out in paragraph (3). Copies of the notice are provided in Appendix 7: Section 48 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> <p>Details of the notices are available in Table 5.4 and 8.1 of the Consultation Report, which confirm that the notice was</p> |
| Reg 4(2)   | (b) once in a national newspaper;  |   |

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| Reg 4(2) | (c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette.   | published in the relevant correct publications.<br><br>The Project does not affect land in Scotland and therefore a notice was not placed in the Edinburgh Gazette.   |
| Reg 4(2) | (d) where the proposed application relates to offshore development –<br>(i) once in Lloyd's List; and<br>(ii) once in an appropriate fishing trade journal.   | It was determined by the Applicant that it was not required to place a notice with Fishing News or Lloyds List, as the Proposed Development does not include any offshore development.  |
| Reg 4(3) | The matters which the notice must include are–<br>(a) the name and address of the applicant;<br>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;<br>(c) a statement as to whether the application is EIA development;<br>(d) a summary of the main proposals, specifying the location or route of the proposed development;<br>(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 on a website maintained by or on behalf of the applicant;<br>(ea) the address of the website where the documents, plans and maps may be inspected;<br>(eb) the place on the website where the documents, plans and maps may be inspected;<br>(ec) a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps;<br>(f) the latest date on which those documents, plans and maps will be available for inspection on the | The Applicant's Section 48 notice included all matters required by this regulation, including stipulation of a deadline for responses being 19 December 2024.<br><br>The published Section 48 Notices are included in Appendix 7 Section 48 Consultation Materials [EN010153/DR/5.2].<br><br>Details of the consultation materials and the relevant communication channels are available in Section 6.6 and Section 6.7 of the Consultation Report. |

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|  | <p>website (being a date not earlier than the deadline in sub-paragraph (i));</p> <p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p> <p>(h) details of how to respond to the publicity; and</p> <p>(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.</p> |  |
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**Table 1.3: Consultation compliance checklist for the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

| Ref   | Requirement   | Compliance   |
|---|---|--|
| <b>Infrastructure Planning (Environmental Impact Assessment) Regulations 2017</b> |   |  |
| Reg 8   | <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) ask 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>The Applicant submitted a Scoping Report to the Planning Inspectorate on behalf of the Secretary of State on 30 May 2023. Through this report, the Applicant notified the Planning Inspectorate that it intended to provide an Environmental Statement (ES) in respect of the Scheme pursuant to Regulation 8(1)(b) of the EIA Regulations. Further details on the EIA Scoping Phase are explained in Section 4.2 of the Consultation Report, as well as within the <b>ES Vol 2 Appendix 1-1: Frodsham Solar Scoping Report (May 2023) [EN010153/DR/6.2]</b>.</p> |
| Reg 12  | <p>(1) 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 states that the Proposed Development is an EIA development in Section 9 (Environmental Information) and sets out how the Applicant intends to publicise and consult on the PEIR in Section 4 (Our Public Consultation Process), Section 6 (How will we consult?) and Section 9 (Environmental Information).</p> <p>A PEIR formed part of the statutory consultation materials.</p> <p>A copy of the SoCC is provided in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b>.</p>  |
| Reg 13  | Where the proposed application for an order granting development consent is an application for EIA development,   | The Applicant provided a copy of the Section 48 notice to the relevant consultation bodies and persons notified to the Applicant in  |

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|  | <p>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 11(1)(c).</p> | <p>accordance with regulation 11(1)(c).</p> <p>The list of Section 42 consultees is included in Appendix 6: Section 42 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> <p>A copy of the Section 48 notice is included in Appendix 7: Section 48 Materials <b>[EN010153/DR/5.2]</b>.</p> |
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**Table 1.4: Consultation compliance checklist for Department for Communities and Local Government (DCLG) Planning Act 2008 Guidance on the pre-application process (2015) (Withdrawn)**

| Ref  | Requirement   | Compliance   |
|--|---|--|
| <b>Department for Communities and Local Government (DCLG) Planning Act 2008 guidance on the pre-application process (2015)</b> |   |  |
| Paragraph 17   | When circulating consultation documents, developers should be clear about their status, for example ensuring it is clear to the public if a document is purely for the purposes of consultation.  | The Applicant strived to ensure that the status on any documents prepared to inform the consultation was clear throughout. For example, the PEIR was clearly marked as “preliminary”, and this was reiterated in public documents. A clearly titled “Community Consultation Leaflet” was produced for two distinctly titled phases of consultation (“Phase One” and “Phase Two”) and these clearly set out the purpose of the consultation and the date responses needed to be received by. These materials are available in Appendix 3: Phase One Consultation Materials <b>[EN010153/DR/5.2]</b> and Appendix 5: Phase Two Consultation Materials <b>[EN010153/DR/5.2]</b> . |
| Paragraph 20   | (20) Experience suggests that to be of most value, consultation should be:<br>- Based on accurate information that gives consultees a clear view of what is proposed including any options;<br>- Shared at an early enough stage so that the proposal can still be influenced, while being sufficiently developed to provide some detail on what is being proposed; and<br>- Engaging and accessible in style, encouraging consultees to react and offer their views. | <p>The Applicant has undertaken a series of defined phases of consultation during the pre-application period, to allow for iterative involvement, engagement and feedback throughout the development of proposals.</p> <p>This included a statutory Phase One Consultation on early-stage proposals, held for six weeks between 01 June 2023 and 13 July 2023.</p> <p>The Applicant’s strategy of undertaking an iterative consultation process has allowed for feedback to inform the development of the Proposed Development in a timely manner, including reporting back to consultees at an interim stage.</p>   |

| Ref          | Requirement   | Compliance  |
|--------------|---|---|
|              |   | <p>The Applicant produced consultation materials that set out clearly the Proposed Development, including the level of detail being consulted on.</p> <p>The Applicant has actively sought and had due regard to feedback provided by stakeholders on its approach to community consultation and has made changes where possible as documented in Section 5 of the Consultation Report</p> <p>Consultation responses to each phase of consultation have been carefully documented and considered as part of the iterative development of the Proposed Development, with stakeholders playing a key role in the design of the proposals. Details of how the Applicant has responded to this feedback is available in sections 9 and 10 and Appendices 8-10 of the Consultation Report.</p> <p>The Applicant has prepared and published a range of consultation materials available in various formats to engage and be accessible for differing preferences and levels of interest and expertise. For example, this includes: a Preliminary Environmental Information Report (PEIR); a Non-Technical Summary of the PEIR; Community Consultation Leaflet; and a Feedback Form.</p> |
| Paragraph 23 | <p>In brief, during the pre-application stage applicants are required to:</p> <p>notify the Secretary of State of the proposed application;</p> | <p>As set out in this document as well as detailed in the Consultation Report, the Applicant has complied with all requirements listed under paragraph 23 of the DCLG Guidance (2015).</p> <p>The Applicant notified the Secretary of State, set out in Section 7.6 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p>  |

| Ref | Requirement  | Compliance  |
|-----|--|---|
|     | identify whether the project requires an environmental impact assessment;  | The Applicant has undertaken an Environmental Impact Assessment process for the Project, as set out in Chapter 4 of the Consultation Report <b>[EN010153/DR/5.1]</b> and culminating in the ES submitted with the Application <b>[EN010153/DR/6.1]</b> ..   |
|     | where it does, confirm that they will be submitting an environmental statement along with the application, or that they will be seeking a screening opinion ahead of submitting the application;   | The Applicant has submitted an Environmental Statement as part of the Application <b>[EN010153/DR/6.1]</b> and made clear it was doing so in its consultation materials.  |
|     | produce a Statement of Community Consultation, in consultation with the relevant local authority or authorities, which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that Statement;  | Chapter 5 of the Consultation Report <b>[EN010153/DR/5.1]</b> describes the process by which the Applicant consulted local authorities and used their feedback to develop the SoCC and SoCC Addendum<br><br>Draft and complete copies of the SoCC are available in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> .   |
|     | 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, as required by section 47 of the Planning Act and Regulations;<br>identify and consult statutory consultees as required by section 42 of the Planning Act and Regulations; | The Applicant identified and notified consultees required by Section 42, set out in paragraph 2.1.3 of the Consultation Report <b>[EN010153/DR/5.1]</b> .<br>The final SoCC was publicised in accordance with Section 47 of the 2008 Act on 25 May 2023.<br><br>The SoCC was uploaded to the document library on the Applicant's website and made available to view and collect from the public venues (Community Access Points) listed below:<br><br><b>Community Access Points:</b> |

| Ref | Requirement   | Compliance  |
|-----|---|---|
|     |   | <ul style="list-style-type: none"> <li>• Frodsham Library</li> <li>• Helsby Library</li> <li>• Ellesmere Port Library</li> </ul> <p>Notices were published in the Chester Chronicle and the Chester Standard on 25 May 2023 to publicise the SoCC and its availability.</p> <p>The publication of the SoCC was also communicated through emailing identified key stakeholders and any party that had registered to be kept informed of project updates.</p> |
|     | publicise the proposed application in accordance with Regulations;  | The Statement of Community Consultation was publicised in local newspapers, as is detailed in Section 5.5 of the Consultation Report <b>[EN010153/DR/5.1]</b> , copies of the notices as they were published are available in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> .  |
|     | set a deadline for consultation responses of not less than 28 days from the day after receipt/last publication; | The Applicant carried out all phases of consultation exceeding 28 days, as is identified in the SoCC, available in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> .   |
|     | have regard to relevant responses to publicity and consultation; and  | <p>The Applicant consulted on, considered feedback to, and published under Section 47 of the Planning Act, a Statement of Community Consultation, set out in Chapter 5 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>The Applicant has had regard to all feedback made to the project, highlighted in Chapters 9 and 10 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p>  |

| Ref                  | Requirement  | Compliance  |
|----------------------|--|---|
|                      | prepare a consultation report and submit it to the Secretary of State.   | The Applicant has prepared a Consultation Report <b>[EN010153/DR/5.1]</b> which has been submitted to the Planning Inspectorate and the Secretary of State.   |
| Paragraphs 24 and 25 | <p>24. The requirements of the Planning Act and associated Regulations form the framework for the pre-application consultation process. The Government recognises that major infrastructure projects and the communities and environment in which they are located will vary considerably. A 'one-size-fits-all' approach is not, therefore, appropriate. Instead, applicants, who are best placed to understand the detail of their specific project, and the relevant local authorities, who have a unique knowledge of their local communities, should as far as possible work together to develop plans for consultation. The aim should be to ensure that consultation is appropriate to the scale and nature of the project and where its impacts will be experienced.</p> <p>25. 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 industries protocols that can be adapted. Larger, more complex applications are</p> | <p>The Applicant carried out the pre-application consultation in accordance with the SoCC, which was informed through consultation with host local authorities. The consultation carried out was appropriate to the scale and nature of the project and where its impacts will be experienced. All responses received from local authorities were considered in the preparation of the SoCC. The comments received, alongside the Applicant's consideration of them, are presented in Tables 5.1 – 5.2 of Section 5.3 of the Consultation Report <b>[EN010153/DR/5.1]</b>. The SoCC included defining a core consultation zone within which all properties were issued with consultation notifications. The methodology for defining this zone involved extending an initial distance of 2km from the edge of the proposed solar development areas. The Applicant allowed for consultation periods exceeding the statutory minimum 28 days for Phase One and Phase Two Section 47 consultations and the Section 42 consultation. The Applicant maintained a range of free-to-use communication channels (Freephone, Freepost and email) to be flexible and to meet the needs of consultees throughout the pre-application period.</p> |



| Ref                         | Requirement  | Compliance  |
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|                             | <p>likely to need to go beyond the statutory minimum timescales laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response. 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>Paragraphs 26 and 27</p> | <p>26. 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. [...] In addition, applicants may 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>In addition to statutory consultees identified under Section 42 of the 2008 Act, the Applicant sought to identify and consult with other bodies and individuals who may have an interest in the Proposed Development, including the community in the vicinity of the proposals as set out by section 47 of the Planning Act 2008. A full list of all non-prescribed consultees identified by Applicant and consulted with under Section 42 of the Planning Act 2008 is provided in Appendix 6: Section 42 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> <p>The Applicant also strived to raise awareness of the application more widely. This included sharing press releases, advertisement in regional publications, and through hosting public information events.</p> |

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|              |  | As detailed in Section 6 of the Consultation Report, the Applicant made documents available at Community Access Points (CAP) sites, and distributed posters with Local Information Points (LIPs) throughout the consultation zone. Along with advertisements and the publication of notices, in addition to directly distributing leaflets to over 11,000 properties, the Applicant ensured wide consultation on the Proposed Development.   |
| Paragraph 28 | 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. | The Applicant reviewed the consultee list on a regular basis to ensure that the contact details were up to date and that any successor body was consulted with. See the Consultation Report Appendix 6: Section 42 Consultation Materials <b>[EN01053/DR/5.2]</b> for the list of section 42 consultees. The Applicant also had regard to any changes in contact details that it was made aware of via the information lines. There were no identified issues where it was not possible to consult with a relevant body. |
| Paragraph 29 | Applicants will often need detailed technical input from expert bodies to assist with  | The Applicant has undertaken extensive engagement with expert bodies and technical consultees  |

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|              | <p>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. [...]</p> <p>Applicants are therefore advised to discuss and agree a timetable with consultees for the provision of such inputs.</p>   | <p>throughout the pre-application process such as local representatives, community organisations, and emergency services. This began in April 2023 and continued through iterative phases of consultation as described in the Consultation Report.</p>  |
| Paragraph 35 | <p>35. 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.</p> | <p>Chapter 5 details the activity undertaken by the Applicant to prepare for Community Consultation. The Applicant also consulted and considered feedback from local authorities to further shape the consultation process.</p> <p>Table 6.7 in the Consultation Report describes how the Applicant has complied with commitments set out within the published SoCC.</p>  |
| Paragraph 36 | <p>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</p>   | <p>The Applicant's SoCC (as provided in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b>) sets out who the Applicant intended to consult. Prior to the Phase Two statutory consultation and given the amount of time that had passed since the final SoCC was published, a SoCC Addendum was drafted to provide more details of how the Applicant intended to carry out the second phase of consultation and to</p> |

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|              | 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.   | <p>explain how the proposed approach was consistent with the principles and commitments set out in the SoCC. The SoCC and the SoCC Addendum were consulted upon with Halton Borough Council, as well as Cheshire West and Chester Council.</p> <p>The comments from local authorities on the SoCC and SoCC Addendum are available in Table 5.1, Table 5.2, and Table 5.3.</p> <p>This includes describing the methodology behind a defined Core Consultation Zone of over 11,000 properties, as well as the Applicant's methods for publicising consultation opportunities beyond the core consultation zone through advertising in local media, maintaining a register of interested individuals, publishing informative consultation materials online making them available to collect from defined Community Access Points.</p> |
| Paragraph 37 | ...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>The Applicant engaged relevant local authorities prior to undertaking the SoCC consultation, as described in Section 3 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>The Applicant's preparation of the SoCC is described in Section 5 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>The Applicant formally consulted on a draft of the SoCC with the relevant local authorities between 05 April and 05 May 2023 ahead of the start of formal consultation on 01 June 2023.</p> <p>The Applicant also formally consulted on a draft of the SoCC Addendum with the relevant local authorities on</p>  |

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|                      |  | 15 October 2024 for comment ahead of the Phase Two Consultation.   |
| Paragraphs 40 and 41 | <p>40. It is expected that in most cases applicants and local authorities will be able to work closely together and agree on the local consultation process.</p> <p>41. 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>The Applicant consulted each local authority that is within Section 43(1) on the draft SoCC, as detailed in Section 5 of the Consultation Report.</p> <p>The Applicant endeavoured to respond to all issues or concerns raised following consultation on the draft SoCC. Where this was not possible the Applicant provided an explanation of the course of action. Local Authorities did not express dissatisfaction with the SoCC and SoCC Addendum following this drafting process.</p> <p>The comments received, alongside the Applicant's consideration, are presented in Tables 5.1 and 5.2, Section 5 of this Consultation Report <b>[EN010153/DR/5.1]</b>.</p>  |
| Paragraph 43         | 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 [local authorities as statutory bodies] 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>The Applicant commenced engagement with host local authorities Halton Borough Council, and Cheshire West and Chester Council. In 2022, prior to undertaking any formal consultation on the Proposed Development, as described in Section 3 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>The Applicant consulted with 'B' host authorities (in which the Proposed Development is located) and neighbouring 'A' authorities during the Phase One and Phase Two consultations. The identification of these local authorities is described in Section 7 and Table 7.1 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>The engagement with Cheshire West and Chester has continued throughout</p> |



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|              |  | the pre-application process as set out in the Consultation Report <b>[EN010153/DR/5.1]</b> .   |
| Paragraph 49 | 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.             | <p>The Applicant has sought to identify and consult with those with an interest in the land.</p> <p>The Applicant sought to identify the Section 42(1)(d) consultees by undertaking diligent inquiry before the statutory consultation commenced. This included reviewing publicly available data (for example at the Land Registry), sending out Land Interest Questionnaires, undertaking site visits and erecting site notices.</p> <p>The Applicant notified 80 identified Section 44 consultees by letter on 5 November 2024 and by email on 6 November 2024 ahead of the second statutory consultation period commencing on 07 November 2024. These consultees were informed of a response deadline of 19 December 2024, exceeding the statutory requirement of 28 days.</p> <p>The identification of Section 44 consultees is described in Section 7.6 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> |
| Paragraph 52 | <p>Applicants should explain in the consultation report how they have dealt with any new interest in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.</p> <p>As part of the on-going diligent inquiry process, in April 2025, the Applicant identified a further two</p> | <p>Where owners, lessees, tenants, or occupiers were unknown, the Applicant placed notices detailing the consultation at the relevant locations around the Project site area. A map detailing the location of these notices is available in Appendix 7: Section 48 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> <p>The list of all land interests consulted is presented in the Consultation Report Appendix 6: Section 42 Consultation Materials</p>  |

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|              | <p>Section 44 consultees due to the ongoing land referencing process. These consultees were informed on 10 April 2025 of a response deadline for 13 May 2025, exceeding the statutory requirement of 28 days. These consultees received a Section 44 covering letter and accompanying site location plan in writing by post and/or email, depending on contact details available to the Applicant.</p> | <p><b>[EN010153/DR/5.2]</b>. This appendix details the date on which they were notified of consultation and the deadline provided to them for responding.</p> <p>All persons listed in the Book of Reference <b>[EN010153/DR/4.3]</b>, which is up to date at the time of submitting the application for a DCO, were consulted under Section 42(1)(d). This is with the exception of Hover Force Limited whose property interest was identified late in the pre-application process. However, this party received consultation materials pursuant to section 47 as their site fell within the core consultation zone and it is noted this party has responded to the consultation (their response is recorded in Appendix 10 under section 44 interests) setting out their concerns. The Order limits do not include their land, and their interest relates to access rights over a route that is proposed to be used for the Proposed Development. During each phase of the Proposed Development the Applicant will ensure that the requirements of the Proposed Development do not prevent access being available at all times to Hover Force Limited land. As such, the Applicant considers that this party has had a chance to influence the application.</p> |
| Paragraph 53 | <p>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</p>   | <p>The Applicant has undertaken two defined phases of consultation during the pre-application period, to allow for iterative involvement, engagement and feedback throughout the development of proposals.</p> <p>This included a statutory Phase One Consultation with the community on early-stage proposals, held for six</p>  |

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|              | engaged with project proposals at an early stage.   | <p>weeks between 01 June 2023 and 13 July 2023. This is further detailed in Chapter 6 of the Consultation Report.</p> <p>The Applicant's strategy of undertaking an iterative consultation process for feedback to inform the development of the Proposed Development in a timely manner, including reporting back to consultees at an interim stage.</p> <p>The Applicant has actively sought and had due regard to feedback provided by stakeholders and the public on its approach to community consultation and has made changes where possible as documented in Chapter 9 of the Consultation Report.</p>  |
| Paragraph 54 | 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 of methods and techniques to ensure that they access all sections of the community in question. | <p>The Applicant's SoCC set out a range of methods to support an accessible and inclusive pre-application consultation.</p> <p>The Applicant's database of organisations and contact details for prescribed Section 42 consultees, and non-prescribed consultees, included gateway organisations representing potentially seldom heard groups and other community and interest groups.</p> <p>The Applicant prepared and published a range of consultation materials available in various formats to cater for differing preferences and levels of interest and expertise. For example, this included: a Preliminary Environmental Information Report (PEIR); a Non-Technical Summary of the PEIR; a Community Consultation Leaflet; and a Feedback Form.</p> |

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|              |   | The Applicant also maintained a range of free-to-use communication channels (Freephone, Freepost and email) throughout the pre-application period. Details of these channels in relation to the Project's public launched is referred to in Section 3.3 of the Consultation Report.  |
| Paragraph 55 | 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. [...] 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...but it is not the policy of the Government to encourage documents to be translated into non-native languages. | Section 4 (Our Public Consultation Process) of the Applicant's SoCC set out the intended scope of each phase of consultation. In support of this, a Community Consultation Leaflet was published for each defined phase of consultation, to clearly set out the proposals and information being consulted on. The back page of these documents, including the SoCC, explained that materials could be provided in alternative formats upon request, as detailed in Table 1.2 of the Consultation Report. |
| Paragraph 56 | 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  | Section 6 (Who Will We Consult?) of the Applicant's SoCC (as provided in Appendix 2 Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> ) sets out who the Applicant intended to consult. This  |

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|              | 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).   | includes describing the methodology behind a defined Core Consultation Zone of over 11,000 properties, as well as the Applicant's methods for publicising consultation opportunities beyond the core consultation zone through advertising in local media, maintaining a register of interested individuals, publishing informative consultation materials online making them available to collect from defined Community Access Points. The SoCC included defining a core consultation zone within which all properties were issued with consultation notifications.   |
| 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. 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 was publicised in accordance with Section 47(6) of the Planning Act 2008 on 25 May 2023. The SoCC outlined the consultation process for the Project and the details of the Stage Two Statutory consultation, including public information event dates, times and venues.</p> <p>The SoCC was uploaded to the document library on the Applicant's Proposed Development website and made available to view and collect from the public venues (Community Access Points) listed in the document and accompanying notice. Evidence of the SoCC being hosted on the Proposed Development website is provided in Appendix 2: Statement of Community Consultation Materials [EN010153/DR/5.2].</p> <p>Notices were published in the Chester Standard and Chester Chronicle on 25 May 2023 to publicise the SoCC and its availability. Copies of these notices are provided in Appendix 2: Statement of Community Consultation Materials [EN010153/DR/5.2].</p> |

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|                          |   | <p>The publication of the SoCC was also communicated through emailing identified key stakeholders (including local community groups) and any party that had registered to be kept informed of project updates.</p> <p>The SoCC was available at statutory consultation public information events and available in hard copy format free of charge upon request.</p>  |
| Paragraph 58             | <p>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. [...] 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.</p> | <p>The Section 48 notice was published in local newspapers as follows:</p> <p>- 31 October 2024 and 07 November 2024 in The Chester Chronicle and the Chester Standard.</p> <p>This aligned with the commencement of the Phase Two consultation which started on 07 November 2024.</p> <p>Further details of the publication of the Section 48 notice are available in Table 8.1 of the Consultation Report.</p> |
| Paragraphs 68, 69 and 70 | <p>68. To realise the benefits of consultation on a project, it must take place at a sufficiently early stage to allow consultees a real opportunity to influence the proposals. At the same time, consultees will need sufficient information on a project to be able to recognise and understand the impacts.</p>   | <p>The Applicant has undertaken a series of defined phases of consultation during the pre-application period, to allow for iterative involvement, engagement and feedback throughout the development of proposals.</p> <p>This included a Phase One Consultation on early-stage proposals held for seven weeks between 1 June 2023 and 13 July 2023, and a Phase Two Consultation between 7</p>                  |



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|     | <p>69. Applicants will often require detailed technical advice from consultees, and it is likely that their input will be of the greatest value if they are consulted when the 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>70. To manage the tension between consultation 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 still being considered. This will be helpful in informing the proposals and assisting the applicant in establishing a preferred option on which to undertake statutory consultation.</p> | <p>November 2024 and 19 December 2024.</p> <p>The Applicant's strategy of undertaking an iterative consultation process has allowed for feedback to inform the development of the Proposed Development in a timely manner, including reporting back to consultees at an interim stage.</p> <p>The Applicant has actively sought and taken due regard to feedback provided by stakeholders on its approach to community consultation and has made changes where possible as documented in the Consultation Report.</p> <p>Consultation responses to each stage of consultation have been carefully documented and considered as part of the iterative development of the Project, with stakeholders playing a key role in the design of the proposals.</p> <p>Table 1.2 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out the pre-application stages and consultation undertaken.</p> |

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| Paragraph 72                 | <p>The Planning Act requires a consultation period of a minimum of 28 days from the day after receipt on 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 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>The Applicant held two phases of consultation, each exceeding the statutory minimum period of 28 days.</p> <p>Phase One consultation was between 1 June 2023 and 13 July 2023. Phase Two consultation occurred between 7 November 2024 and 19 December 2024. Further details of the community consultations are detailed in Chapter 6 of the Consultation Report.</p>   |
| Paragraphs 73, 74, 75 and 76 | <p>73. Applicants are not expected to repeat consultation rounds set out in their Statement of Community Consultation unless the project proposals have changed very substantially. [...] 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>Following the close of the Phase Two Consultation, the Applicant has continued to refine the proposals for the Proposed Development in preparation for submitting a DCO application.</p> <p>This refinement was informed by further design work and due diligence, consideration of consultee feedback, and responding to the results and data from environmental assessments.</p> <p>A summary of how feedback had been considered in the design is set out in Chapters 9 and 10 of the Consultation</p> |

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|     | <p>74. Where a proposed application changes to such a large degree that the proposal could be considered a new application, the legitimacy of the consultation already carried out could be questioned. In such cases, applicants should undertake further re-consultation on the new proposals, and should supply consultees with sufficient information to enable them to understand the nature of the change and any likely significant impacts (but not necessarily the full suite of consultation documents), and allow at least 28 days for consultees to respond.</p> <p>75. If the application only changes to a small degree [...] then it is not necessary for an applicant to undertake a full re-consultation... the applicant should ensure that all affected statutory consultees and local communities are informed of the changes.</p> <p>76. In circumstances where a particular issue has arisen during the pre-application consultation, or where it is localised in nature, it may be appropriate to hold a non-statutory, targeted consultation. A developer's Statement of Community Consultation should be</p> | <p>Report. All feedback responses were considered and responded to, set out in Appendix 9: Phase Two Section 47 Applicant Response Table [EN010153/DR/5.2], and Appendix 10: Section 42 Applicant Response Table [EN010153/DR/5.2],</p> <p>An additional consultation was undertaken to account for a small amendment to the Order limits as set out in Section 7.2 and Section 7.5 of the Consultation Report. This consultation was non-statutory and localised in its nature to reflect the small nature of the amendment. A map of the change is shown in Appendix 6: Section 42 Consultation Materials [EN010153/DR/5.2].</p> |

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|                      | drafted so that it does not preclude this approach.   |   |
| Paragraph 77         | Consultation should also be fair and reasonable for applicants as well as 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>The pre-application consultation process that the Applicant held complied with its commitments as consulted on in the draft SoCC and set out in the final SoCC.</p> <p>The Applicant was able to undertake all methods of consultation and engagement it committed to in the SoCC.</p> <p>The consultation activities carried out by the Applicant, set out in Chapters 6 and 7 of the Consultation Report, ensured that consultation was fair and proportionate. Chapter 5 of the Consultation Report demonstrates that the views of the local authorities were considered.</p> |
| Paragraphs 78 and 80 | 78. 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>The Applicant has prepared a Consultation Report <b>[EN010153/DR/5.1]</b> in accordance with section 37 of the Planning Act 2008, which details how the Applicant has complied with the consultation requirements in the Act, and which is consistent with guidance.</p> <p>Relevant sections of the Consultation Report include:</p>  |
|                      | 80. Therefore, the consultation report should:  |   |
|                      | <ul style="list-style-type: none"> <li>• provide a general description of the consultation process undertaken, which can helpfully include a timeline;</li> <li>• set out how the applicant has taken account of any response to consultation with local authorities on what should be in the</li> </ul>  |   |
|                      |   | <ul style="list-style-type: none"> <li>• Section 1 (Introduction) sets out the Applicant's approach to consultation and includes Table 1.2 setting out the pre-application stages and consultation undertaken in chronological order.</li> <li>• Appendix 1: Statement of Compliance <b>[EN010153/DR/5.2]</b> sets out how the Applicant has complied with relevant legislation and guidance.</li> </ul>  |

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|     | applicant's statement of community consultation;   |   |
|     | <ul style="list-style-type: none"> <li>• set out how the applicant has taken account of any response to consultation with local authorities on what should be in the applicant's statement of community consultation;</li> </ul>   | <ul style="list-style-type: none"> <li>• Section 5 (Preparation for Statutory Section 47 Consultation sets out how the Applicant consulted relevant local authorities to inform the SoCC, including comments received and consideration given to these.</li> </ul>  |
|     | <ul style="list-style-type: none"> <li>• set out a summary of relevant responses to consultation (but not a complete list of responses);</li> </ul>  | <ul style="list-style-type: none"> <li>• Sections 9 and 10 provide a summary of responses received to Section 47 and Section 42 consultation and the Applicant's consideration of these responses. These sections are supported by Appendix 9: Phase Two Section 47 Applicant Response <b>[EN010153/DR/5.2]</b> and Appendix 10: Section 42 Applicant Response <b>[EN010153/DR/5.2]</b>.</li> </ul> |
|     | <ul style="list-style-type: none"> <li>• 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;</li> </ul>                              |   |
|     | <ul style="list-style-type: none"> <li>• provide an explanation as to why responses advising on major changes to the project were not followed, including advice from statutory consultees on impacts;</li> </ul>  |   |
|     | <ul style="list-style-type: none"> <li>• 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</li> </ul> | <p>The Applicant has complied with all relevant guidance, as set out in this document. Where the advice of a local authority may not have been taken, for example when taking into account feedback on the statement of community consultation, an explanation has been made. This example can be seen in table 5.2 of the Consultation Report.</p>   |

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|              | <ul style="list-style-type: none"> <li>• 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 include full technical explanations of these matters.</li> </ul>                                       | <p>Overall, the Consultation Report sets out how the consultation process has been undertaken and significant effects addressed.</p>  |
| Paragraph 81 | <p>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.</p> | <p>Following the review and consideration of feedback received, the Applicant also prepared a Phase One Consultation Summary Report to share details of the level of engagement, themes of responses received, and updates regarding the Applicant's consideration of feedback and next steps for the Proposed Development.</p> <p>The Phase One Consultation Summary Report was circulated to key stakeholders on 16 September 2024. It was also circulated to these who had registered to be kept informed about the Proposed Development. The document provided an overview of the feedback received.</p> <p>It was published on the Project website and issued to CAPs and was also available on request. A copy of the Phase One Consultation Summary Report is provided as Appendix 4: Phase One Consultation Summary Report [EN010153/DR/5.2].</p> <p>The Applicant has summarised the responses to both phases of consultation, including how the Applicant has responded, in Chapter 9 of the Consultation Report. The Applicant's full response to each comment at Phase Two consultation</p> |



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|              |   | <p>is set out in Appendix 9: Phase Two Section 47 Applicant Responses <b>[EN010153/DR/5.2]</b>.</p> <p>Furthermore, following DCO submission, the Applicant intends to upload to the Project website a public summary of the DCO application proposals and how these have been informed by pre-application feedback and assessment.</p>   |
| Paragraph 91 | <p>For major infrastructure projects, the environmental impact assessment process is governed by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. These Regulations make the preapplication publicity and consultation requirements for the environmental impact assessment process consistent with those of the Planning Act:</p> <ul style="list-style-type: none"> <li>• Regulation 10 requires that the applicant's Statement of Community Consultation must state whether the project falls within the scope of the Directive, and, if it does, how the applicant intends to publicise and consult on the preliminary environmental information (see paragraphs 93 and 94) for requirements in relation to preliminary environmental information); and</li> <li>• Regulation 11 requires that publicity of project proposals under section 48 of the Planning Act must</li> </ul> | <p>The Applicant's Statement of Community Consultation (SoCC) available to view in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b>, sets out that the Proposed Development intended to carry out an Environmental Impact Assessment, and how it would publicise this. It is set out in Section 9 of the SoCC.</p> <p>The Applicant's Section 48 Notice, available to view in Appendix 7: Section 48 Consultation Materials, also sets out these requirements and confirmed that a PEIR had been produced.</p> <p>The PEIR then formed part of the section 42 consultation materials.</p> <p>The Applicant notified all environmental consultation bodies, as detailed in paragraph 2.1.3 of the Consultation Report.</p> |

| Ref          | Requirement  | Compliance  |
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|              | also encompass the requirements of the environmental impact assessment process and at the time of publishing the proposed application, applicants must notify all environmental consultation bodies.   |   |
| Paragraph 93 | <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 preliminary environmental information is not expected to replicate or be a draft of the environmental statement. [...] 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 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>The Applicant set out in the SoCC how it would be publicising and consulting on the PEIR in Chapter 7. This included making available a Non-Technical Summary of the PEIR.</p> <p>The PEIR and accompanying Non-Technical Summary was available to any interested party through the Proposed Development website, during the Phase Two Consultation public information events, and the Non-Technical Summary was available at the identified Community Access Points.</p> <p>The availability of the PEIR was publicised through the Section 48 notice, presented in Appendix 7: Section 48 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p> |

**Table 1.5: Compliance checklist for Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects (April 2024)**

| Ref   | Requirement  | Compliance  |
|---|--|---|
| <b>Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects (April 2024)</b> |  |   |
| Paragraph 006   | <b>What statutory requirements does the applicant need to comply with during the pre-application stage?</b>  |   |
|   | During the pre-application stage an applicant must:  |   |
|   | notify the Planning Inspectorate acting on behalf of the Secretary of State of the proposed application on or before commencing statutorily required consultation under section 46 of the Planning Act, principally with statutory bodies, local authorities and persons with interests in the land; | The Applicant notified the Secretary of State under Section 46 of the Planning Act, detailed in Section 7.6 of the Consultation Report <b>[EN010153/DR/5.1]</b> .   |
|   | notify the Planning Inspectorate on behalf of the Secretary of State that they intend to provide an Environmental Statement in respect of the proposed development, or that they will be asking the Planning Inspectorate on behalf of the Secretary of State to adopt a                             | The Applicant notified the Planning Inspectorate on behalf of the Secretary of State on 30 May 2023 that it intended to provide an Environmental Statement in respect of the proposed development, this is further detailed in Chapter 4 of the |

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|  | screening opinion ahead of submitting the application (Regulation 8 of the EIA Regulations 2017); this should be informed by early engagement with interested parties before formal consultation under section 42 of the Planning Act;  | Consultation Report <b>[EN010153/DR/5.1]</b> .  |
|  | prepare a statement in consultation with the relevant local authority or authorities, commonly termed the Statement of Community Consultation (“SoCC”), which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that statement, as required by section 47 of the Planning Act and Regulation 12 of the EIA Regulations 2017; | The Applicant worked with local authorities to prepare a Statement of Community Consultation, which described how the Applicant planned to consult the local communities. This is further detailed in Chapter 5 of the Consultation Report <b>[EN010153/DR/5.1]</b> , and available in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> . |
|  | make the SoCC 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, publishing the statement and a newspaper notice stating where and when the statement can be inspected, as required by section 47 of the Planning Act;  | Chapter 5 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out how the SoCC was made available for inspection by the public, and Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b> displays the SoCC as it was published in local newspapers.  |

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|  | <p>identify and consult statutory consultees, local authorities and all persons with land interests as required by section 42 of the Planning Act and Regulation 3 and Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ("the APFP Regulations 2009");</p> | <p>Chapter 7 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out how Section 42 consultees were identified and consulted by the Applicant. Feedback from Section 42 consultees is summarised in Chapter 10 of the Consultation Report <b>[EN010153/DR/5.1]</b>, and the feedback received from Section 42 consultees – as well as responses from the Applicant - is available in Appendix 10: Section 42 Applicant Responses <b>[EN010153/DR/5.2]</b>.</p> |
|  | <p>set a deadline for consultation responses required by section 42 of the Planning Act of not less than 28 days from the day after receipt of the consultation documents as required by section 45 of the Planning Act;</p>   | <p>The Applicant set a deadline for Section 42 consultation responses that exceeded the 28-day minimum. Evidence of this is provided in Chapter 7 of the Consultation Report <b>[EN010153/DR/5.1]</b>, and the Section 42 Notice, available in Appendix 6: Section 42 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p>  |
|  | <p>publicise the proposed application in accordance with section 48 of the Planning Act, Regulation 13 of the EIA Regulations 2017 and Regulation 4 of the APFP Regulations 2009;</p>  | <p>The Applicant publicised the Application in accordance with Section 48 of the Planning Act. This is detailed in Chapter 8 of the Consultation Report <b>[EN010153/DR/5.1]</b>, and evidence of the notice being published is available in Appendix 7: Section 48 Consultation Materials <b>[EN010153/DR/5.2]</b>.</p>  |
|  | <p>have regard to relevant responses to publicity and consultation required by section 49 of the Planning Act;</p>   | <p>The Applicant has had regard to all feedback made to the project, highlighted in Chapters 9 and 10 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p>  |

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|               |  | Applicant Responses to comments received are available in Appendix 9: Phase Two Section 47 Applicant Response <b>[EN010153/DR/5.2]</b> , and Appendix 10: Section 42 Applicant Response <b>[EN010153/DR/5.2]</b> .   |
|               | prepare a consultation report showing how the applicant has met the consultation requirements of sections 42, 47 and 48 of the Planning Act and how the proposed application has been amended to take account of the relevant responses;   | The Applicant has prepared a Consultation Report <b>[EN010153/DR/5.1]</b> .<br><br>The Consultation Report demonstrates how the Applicant has complied with Section 42, Section 47 and Section 48 of the Planning act in Chapter 7, Chapters 6 and 7, and Chapter 8 of the Consultation Report respectively <b>[EN010153/DR/5.1]</b> . |
|               | meet the requirements of section 37 of the Planning Act by submitting this consultation report to the Planning Inspectorate acting on behalf of the Secretary of State with the application for development consent for consideration in the decision whether the application is accepted for examination; and | The Applicant has submitted the Consultation Report <b>[EN010153/DR/5.1]</b> , to the Planning Inspectorate with the Application.  |
|               | have regard to this guidance as required by section 50 of the Planning Act.  | Chapter 2 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out how the Applicant has had regard to Section 50 of the Planning Act.   |
| Paragraph 020 | <b>How can applicants ensure consultation is proportionate?</b>  | The Applicant has undertaken two phases of consultation during the pre-application period, to allow for  |



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|               | <p>The pre-application consultation undertaken should be proportionate to the scale and nature of the project and its effects. A 'one-size-fits-all' approach is not appropriate. For a straightforward and uncontroversial application, an applicant may choose to discharge the obligations of sections 42, 47 and 48 of the Planning Act concurrently in a single round of consultation, or in separate stages. For more complex proposals, an applicant may choose to conduct a non-statutory round of consultation (for example considering options) before undertaking a statutory round of consultation, or they may choose to run a multi-stage statutory consultation process.</p> | <p>iterative involvement, engagement and feedback throughout the development of proposals.</p> <p>This included a Phase One Consultation with the community on early-stage proposals, held for six weeks between 1 June 2023 and 13 July 2023, and a Phase Two Consultation between 7 November 2024 and 19 December 2024.</p> <p>The Applicant's strategy of undertaking an iterative consultation process has allowed for feedback to inform the development of the Project in a timely manner, including reporting back to consultees at an interim stage.</p> <p>The Applicant has actively sought and had due regard to feedback provided by stakeholders on its approach to community consultation and has made changes where possible as documented Chapter 5 of the Consultation Report.</p> <p>The Applicant's approach to consultation was set out in the SoCC pursuant to section 47 of the Planning Act 2008, which in turn was informed through consultation with relevant local authorities, as described in Section 5 of the Consultation Report <b>[EN0101/APP/5.1]</b>.</p> |
| Paragraph 020 | Larger, more complex applications are likely to   | All consultation periods, statutory under Section 47 for  |

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|               | warrant going beyond the statutory 28-day minimum timescales for consultation laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response.   | both phases and subsequent consultations in 2025, for the Proposed Development exceeded 28 days. Details of these consultations and their preparation are available in Chapter 6 of the Consultation Report.  |
| Paragraph 020 | <p>Once applicants have completed the consultation process set out in their SoCC, where a proposed application is amended in the light of responses to consultation then, unless those amendments materially and substantially change the proposed application or materially changes its effects as a whole, the amendments themselves should not trigger a need for further consultation. The amendments can be reported as part of the consultation report submitted with the application.</p> <p>Only where the project taken as a whole changes very significantly, and to such a large degree that what is being taken forward is fundamentally different from what was previously consulted on, should re-consultation on the proposed application as a whole be considered.</p> | <p>In Section 4 (Our Public Consultation Process) of the SoCC, the Applicant states:</p> <p>“Any feedback on our methods of consultation is encouraged and will be considered by our team. Comments on our community consultation are best provided to us for consideration in the first instance, so that they can be addressed when designing future consultation activities. When we submit our DCO application, Local Planning Authorities will be invited to provide an Adequacy of Consultation Representation.”</p> <p>Following the close of the Phase Two Consultation, the Applicant continued to refine the proposals for the Proposed Development in preparation for submitting a DCO application.</p> <p>This refinement was informed by further design work and due diligence, consideration of consultee feedback, and responding to the results and data from environmental assessments.</p> <p>This resulted in a series of specific amendments to the</p> |

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|               |   | <p>proposed site boundary (indicative Order limits) – both increases and decreases – compared to the Project boundary presented in the PEIR and for Phase Two Consultation.</p> <p>The small increases to the Order limits were the subject of a targeted consultation with affected land interests.</p>  |
| Paragraph 021 | <p><b>Who should be consulted?</b></p> <p>Sections 42 to 44 of the Planning Act, Regulation 3 and Schedule 1 to the APFP Regulations 2009 set out details of who must be consulted... Section 47 of the Planning Act sets out the applicant's statutory duty to consult local communities. In addition, applicants will want to consider the issues that may need to be addressed ahead of submission and may also wish to seek views of other people who are not statutory consultees, but who may be significantly affected by the project...</p> <p>While the list of prescribed bodies who must be consulted was updated in April 2024, from time to time a body may cease to exist but may still be listed as a statutory consultee in the Regulations pending their updating. In such situations applicants should identify any successor body and consult with them in the same manner as they would</p> | <p>The Applicant has complied with its duties under sections 42 to 44 and 47 of the Planning Act 2008 consulting with statutory consultees as defined and the local community. This is shown in Section 6 and 7 of the Consultation Report. The Applicant also consulted with non-prescribed consultees as shown by Section 7 of Consultation Report.</p> <p>The Applicant reviewed the consultee list on a regular basis to ensure that the contact details were up to date and that any successor body was consulted with.</p> <p>See the Consultation Report Appendix 6: Section 42 Consultation Materials <b>[EN010153/DR/5.2]</b> for the list of Section 42 consultees.</p> <p>The Applicant also had regard to any changes in contact details that it was made aware of via the information lines.</p> |

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|               | <p>have with the original body. Where there is no obvious successor, applicants should seek the advice of the Planning 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>  |  |
| Paragraph 022 | <p><b>How can applicants consult communities effectively?</b></p> <p>Under section 47 of the Planning Act, applicants are required to produce a SoCC, setting out how they intend to consult the local community on the proposed application. Applicants should consider how they can engage communities in a way that supports them to understand the necessary issues at an appropriate stage to support preparation of their application, and how they will show how they have responded to their issues of concern.</p> | <p>The Applicant's preparation of the SoCC is described in Section 5 of the Consultation Report</p> <p>The Applicant formally consulted on a draft of the SoCC between 5 April and 5 May 2023.</p> <p>Feedback was also sought by the Applicant on a draft list of Section 42 statutory consultees.</p> <p>The final SoCC was publicised in accordance with Section 47 of the 2008 Act on 25 May 2023.</p> <p>The Applicant produced consultation materials, shown in Appendix 3: Phase One Consultation Materials [EN010153/DR/5.2] and Appendix 5: Phase Two Consultation Materials [EN010153/DR/5.2] to engage communities in a way that supports them to</p> |

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|               |   | <p>understand the necessary issues at an appropriate stage to support preparation of their application, and how they will show how they have responded to their issues of concern.</p> <p>The Applicant also participated in Focused Design Workshops with community groups to further refine their Application. Details of these workshops are available in Table 6.3 of the Consultation Report, and notes from a number of these meetings are set out within Appendix 8: Ongoing Engagement Materials <b>[EN010153/DR/5.2]</b>.</p> |
|               | <p>Local communities may need support to help them to input to the NSIP consenting process. Independent community liaison chairs or forums can be used to provide support to local communities and non-statutory consultees to enable them to provide an effective input to the pre-application process. Applicants will want to consider whether these should be used, not least to assist an applicant's own assessment of potential examination issues in preparing their Programme Document and SoCC.</p> | <p>The Applicant notes this updated guidance. The Applicant has sought to ensure consultation activities are accessible and has been open to engagement requests. Table 6.3 of the Consultation Report <b>[EN010153/DR/5.1]</b> details Design Workshops held by the Applicant following statutory consultation, including with local community groups. Notes from a number of these meetings are set out within Appendix 8: Ongoing Engagement Materials <b>[EN010153/DR/5.2]</b>.</p>  |
| Paragraph 023 | <p>[Following] section 49 of the Planning Act have regard to any relevant consultation responses from either statutory consultees under section 42 of the</p>   | <p>Chapter 7 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out how the Applicant engaged with statutory consultees.</p>   |

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|               | <p>Planning Act, local communities under section 47 of the Planning Act, or wider publicity under section 48 of the Planning Act.</p>   | <p>Chapter 10 of the Consultation Report <b>[EN010153/DR/5.1]</b> summarises how the Applicant responded to issues raised by statutory consultees, Chapters 9 and 10 of the Consultation Report <b>[EN010153/DR/5.1]</b> provide a summary of responses received to Section 47 and Section 42 consultation and the Applicant's consideration of these responses. These sections are supported by Appendix 9: Phase Two Section 47 Applicant Response <b>[EN010153/DR/5.2]</b>, and Appendix 10: Section 42 Applicant Responses <b>[EN010153/DR/5.2]</b>.</p> |
| Paragraph 024 | <p><b>What do applicants have to do to consult people with an interest in land?</b></p> <p>Where an applicant proposes to compulsorily acquire an interest or take temporary possession of land it does not own in order to implement a proposed NSIP, under section 42 of the Planning Act they must identify and consult people, including those who own, occupy or have another interest in the land in question.</p> <p>It is the applicant's responsibility to demonstrate at submission of the application to the Planning Inspectorate that due diligence has been</p> | <p>The Applicant has sought to identify and consult with those with an interest in the land pursuant to sections 42 and 44 of the Planning Act 2008.</p> <p>This is described in Section 7.5 of the Consultation Report <b>[EN010153/APP/5.1]</b>.</p>   |



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|               | <p>undertaken in identifying all land interests. Applicants must ensure that the Book of Reference (which records and categorises those land interests) is sufficiently up to date at the time of submission (acknowledging the timescales for preparing and updating it) and fully meets the requirements of Regulations 5 and 7 of the APFP Regulations 2009.</p> <p>[...]</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> |  |
| Paragraph 025 | <p><b>What is the early adequacy of consultation milestone?</b></p> <p>The Programme Document will enable the Planning Inspectorate to determine at the Inception Meeting that the proposed consultation arrangements are adequate for the level of complexity of the proposed project. The Programme Document should also identify an appropriate milestone during the pre-application stage to enable the Planning Inspectorate to test the progress of the consultation.</p>   | <p>Given the introduction of this guidance relative to the Applicant's pre-application programme for the Project, the Applicant did not prepare a Programme Document for discussion with PINS as part of an inception meeting.</p> <p>However, following the Planning Inspectorate issuing an Expression of Interest Form to the Applicant, a Programme Document was prepared and shared with the Planning Inspectorate in response in December 2024.</p> <p>The Programme Document set out an appropriate time for an early adequacy of consultation milestone.</p> |

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|  |  | The Applicant has since hosted the Programme Document on the Project website.   |
|  | <p>This adequacy of consultation milestone should be early enough to enable applicants to consider how to undertake any additional engagement that may be needed, but sufficiently towards the end of the pre- application stage to assess the adequacy of the consultation that has been done. It is likely therefore to be no later than around 3 months before the intended date of submission of the application.</p> <p>The adequacy of consultation milestone should be recorded by the applicant and submitted to the Planning Inspectorate as a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the SoCC. The statement should include the views and any relevant supporting material from local authorities if available.</p> <p>The adequacy of consultation milestone is an informal but nonetheless important opportunity to check that the pre-application programme is on track, and if it is seriously adrift the Planning</p> | <p>Prior to submitting an application for a DCO, the Applicant prepared a written statement in response to the Government's guidance regarding an early Adequacy of Consultation Milestone. A copy of this written statement is provided in Part 2 of this Appendix 1: Statement of Compliance <b>[EN010153/DR/5.2]</b>.</p> <p>The Applicant discussed the preparation of this statement with the host local authorities for the Proposed Development. These authorities are Cheshire West and Chester Council and Halton Borough Council.</p> <p>The Applicant submitted their written statement on the adequacy of consultation undertaken to the Planning Inspectorate on 27 March 2025. This was to give early consideration of the adequacy of consultation undertaken by the Applicant, prior to the acceptance stage of a DCO application.</p> <p>The Applicant notes that, given the timing of the guidance coming into effect relative to the programme for the Proposed Development, the written statement was submitted within three months of the intended DCO</p> |

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|               | <p>Inspectorate will advise the applicant about the steps necessary to enable the application to be submitted having fulfilled the statutory requirements. Inevitably this could mean a renegotiation of the expected date of submission, with the objective of avoiding the prospect of an application not being accepted for examination.</p>  | <p>application submission date. While this period of time is less than suggested within the guidance, the Applicant still considered it useful to prepare and submit this document prior to submission.</p> <p>The Applicant also prepared, consulted local authorities on, and published a SoCC Addendum, as detailed in Chapter 5 of the Consultation Report <b>[EN010153/DR/5.1]</b>.</p> <p>This Addendum set out an updated timeline to local authorities and local communities. The SoCC Addendum is available in Appendix 2: Statement of Community Consultation Materials <b>[EN010153/DR/5.2]</b></p> |
| Paragraph 026 | <p><b>What is the consultation report and how should applicants respond to consultees?</b></p> <p>[The Consultation Report] should not include an excessively detailed description of every element of the consultation programme. The main objective should be to provide clarity not just on what consultation has been done but, crucially, how the applicant has taken it into account. It should therefore:</p> | <p>The Applicant has prepared a <b>Consultation Report [EN010153/DR/5.1]</b> pursuant to section 37 of the Planning Act 2008 and which is consistent with this guidance.</p> <p>Relevant sections of the Consultation Report include:</p>  |
|               | <p>provide a general description of the consultation process undertaken including the timeline;</p>  | <p>Chapter 1 (Introduction) of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out the Applicant's approach to consultation and includes</p>   |

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|  |   | Table 1.2 setting out the pre-application stages and consultation undertaken in chronological order.  |
|  | set out specifically what the applicant has done to comply with the statutory requirements of the Planning Act, including advice issued under section 51 of the Planning Act, relevant secondary legislation and this guidance; | Appendix 1: Statement of Compliance<br><b>[EN010153/DR/5.2]</b> sets out how the Applicant has complied with relevant legislation and guidance.   |
|  | set out how the applicant has complied with the requirements to consult local communities described in the SoCC;  | Table 5.4 of the Consultation Report <b>[EN010153/DR/5.1]</b> sets out how the applicant has complied with consultation activities committed to in the SoCC.  |
|  | set out any relevant responses to consultation (but not a complete list of responses);  | Chapter 9 and Chapter 10 of the Consultation Report <b>[EN010153/DR/5.1]</b> , detail relevant responses and how the Applicant has considered them.   |
|  | provide a description of how the proposed application for submission has been informed and influenced by taking account of those responses, showing any significant changes made as a result;                                   |   |
|  | provide an explanation as to why any responses advising on changes to a proposed project, including advice from statutory consultees and local authorities on effects, were not followed;                                       | Full consideration to each comment, including responses from the Applicant as to why suggested changes were and were not considered, can be found in Appendix 9: Phase Two Section 47 Applicant Responses <b>[EN010153/DR/5.2]</b> , and Appendix 10: Section 42 Applicant Responses <b>[EN010153/DR/5.2]</b> . |
|  | be expressed in terms sufficient to enable the  | The Consultation Report expresses throughout how  |

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|  | <p>Planning Inspectorate to understand fully how consultation has been undertaken, and how the issues raised through consultation have been addressed or responded to.</p>  | <p>consultation has been undertaken, how issues have been addressed and how the Applicant has responded <b>[EN010153/DR/5.1]</b>.</p>  |
|  | <p>It is good practice that those who have contributed to the consultation are informed of the results. 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.</p> | <p>Following the review and consideration of feedback received, the Applicant prepared a Phase One Consultation Summary Report to share details of the level engagement, themes of responses received, and updates regarding the Applicant's consideration of feedback and next steps for the Proposed Development.</p> <p>This was circulated to key stakeholders on 16 September 2024.</p> <p>It was also published on the Project website, shared by email to key stakeholders and a keep informed list, sent to CAPs and made available on request, to help consultees understand how their feedback was being considered. A copy of the Phase One Consultation Summary Report is provided as Appendix 4: Phase One Consultation Summary Report <b>[EN010153/DR/5.2]</b>.</p> <p>The Applicant has summarised the responses to community consultation under Section 47, including how the Applicant has responded, in Chapter 9 of the Consultation Report. The Applicant's full response to all</p> |

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|  |  | <p>Section 47 feedback at Phase Two is set out in Appendix 9: Phase Two Section 47 Applicant Responses <b>[EN010153/DR/5.2]</b>.</p> <p>Furthermore, following DCO submission, the Applicant intends to upload to the Project website a public summary of the DCO application proposals and how these have been informed by pre-application feedback and assessment.</p> |
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**2. The Applicant's Adequacy of Consultation Milestone Document (accepted by the Planning Inspectorate on 27 March 2025)**





## **Frodsham Solar**

# **Early Adequacy of Consultation Milestone**

## **Guidance: Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects**

March 2025

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## 1. INTRODUCTION AND OVERVIEW

### Overview

- 1.1. This early Adequacy of Consultation Milestone document has been prepared by Cubico Sustainable Investments ('the Applicant') in preparation for the application for a Development Consent Order (DCO) for Frodsham Solar ('the Project').
- 1.2. In the first half of 2024, the Government introduced new guidance relevant to the application for a DCO:
  - Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects<sup>1</sup> ('the Guidance') (published 30 April 2024); and
  - Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus<sup>2</sup> ('the Prospectus') (published 16 May 2024).
- 1.3. In setting out the requirements and expectations for the preparation of an application for a DCO, both the updated Guidance and the Prospectus introduced an early adequacy of consultation milestone (AoCM).
- 1.4. The Applicant understands this to be aimed at providing it with an opportunity to submit to the Planning Inspectorate a document setting out the consultation undertaken during the pre-application phase, how this aligned with the approaches set out in a Statement of Consultation (SoCC), and how responses to consultation are being considered in the preparation of the DCO application for the Project.
- 1.5. The Guidance and the Prospectus indicate that the early AoCM milestone should involve a written statement prepared by the Applicant and submitted to the Planning Inspectorate (PINS). This is to give early consideration of the adequacy of

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<sup>1</sup> Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects (<https://www.gov.uk/guidance/planning-act-2008-pre-application-stage-for-nationally-significant-infrastructure-projects>)

<sup>2</sup> Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus (<https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-2024-pre-application-prospectus>)

consultation undertaken by the Applicant, prior to the acceptance stage of a DCO application.

- 1.6. The Guidance states: “This adequacy of consultation milestone should be early enough to enable applicants to consider how to undertake any additional engagement that may be needed, but sufficiently towards the end of the pre-application stage to assess the adequacy of the consultation that has been done. It is likely therefore to be no later than around 3 months before the intended date of submission of the application.
- 1.7. “The adequacy of consultation milestone should be recorded by the applicant and submitted to the Planning Inspectorate as a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the SoCC. The statement should include the views and any relevant supporting material from local authorities if available.”
- 1.8. The Applicant notes that that, due to the timing of the Guidance and the Prospectus coming into effect relative to the programme for the Project, this AoCM document is being submitted within three months of the intended DCO application submission date. While this period of time is less than suggested within the Guidance, the Applicant stills considers it useful to prepare and submit this document prior to submission, particularly given the characteristics of the Project and the extensive engagement the Applicant has been undertaking.

### **Seeking the views of local authorities**

- 1.9. The Applicant issued a draft of this early AoCM document with the host local authority for the Project for any comments on 17 February 2025. This authority is Cheshire West and Chester Council ('CwaCC').
- 1.10. CwaCC responded to the draft AoCM on 03 March 2025. The letter sent by CwaCC to the Applicant with comments regarding the AoCM is included within Appendix 1 of this document.
- 1.11. CwaCC commented that they generally have no concerns with regards to the adequacy of consultation for the Project.
- 1.12. CwaCC stated that they are “yet to see the details of consultation responses provided to the Applicant and cannot yet comment in terms of how the Applicant has

had regard to the relevant responses to publicity and consultation as required by Section 49 of the Planning Act 2008. However, it does appear from the amendments made to date and other comments, that the Applicant is having due regard.”

- 1.13. CWaCC reserved the right to comment on how the Applicant has had regard to the relevant responses to publicity and consultation as required by Section 49 of the Planning Act 2008 once they have sight of the Applicant’s DCO submission.
- 1.14. This version of the AoCM has been recirculated to CWaCC prior to sending the document to PINS for publication.

## **2. PRE-APPLICATION CONSULTATION AND ENGAGEMENT**

### **Overview**

- 2.1. The Applicant has consulted and engaged iteratively throughout the pre-application phase of the Project and in preparation of the DCO application for the Project. This has included defined non-statutory and statutory periods of consultation, alongside ongoing engagement.
- 2.2. The Applicant undertook statutory consultation in accordance with the requirements set by the Planning Act 2008 (the ‘2008 Act’).
- 2.3. In accordance with Sections 42, 47 and 48 of the 2008 Act, the Applicant undertook pre-application consultation on the Project ahead of submission of the Application to the Secretary of State with the following consultees:
- Prescribed bodies (in accordance with Section 42(1)(a));
  - Local authorities (in accordance with Section 42(1)(b) and as set out in Section 43(1);
  - Those with an interest in the land (in accordance with Section 42(1)(d) and as set out in Section 44);
  - Community and other organisations in the “vicinity” of the Project who may be affected both directly and indirectly by the Project (in accordance with Section 47); and
  - Wider communities and organisations (through local, national and regional newspaper notice publication) in order to seek their comments on the Project proposals (in accordance with Section 48).

2.4. A list of bodies that received Section 42 communications, excluding those with an interest in the land as set out in Section 44, is provided in Appendix 4 of this document.

### Stages of consultation undertaken

2.5. The key stages of pre-application consultation undertaken by the Applicant are set out in **Table 1**.

**Table 1: Pre-application consultation and engagement activities undertaken**

| Date                   | Activity Undertaken  |
|------------------------|--|
| Q2 2023                | <p><b>Project introduction and ongoing engagement and consultation with local authorities, and political stakeholders.</b></p> <p>Prior to the start of Phase One consultation in Q2 2023, the Applicant commenced early engagement with consultees including Cheshire and West Chester Council, Halton Borough Council and Liverpool City Region Combined Authority. This engagement was organised to introduce the Scheme and discuss intention to consult on Statement of Community Consultation, and engagement with these bodies has been ongoing throughout the pre-application period.</p> <p>The Applicant also commenced engagement with locally elected members and representatives including ward and parish councillors and Members of Parliament (MPs) through briefing meetings. For example, the Applicant introduced the proposals to parish councils and elected ward members by hosting an online webinar the day before public launch of the project on 24<sup>th</sup> May 2023.</p> |
| April - May 2023       | <p><b>Consultation on draft Statement of Community Consultation (SoCC) with local authorities under Section 47 of the 2008 Act</b></p> <p>The Applicant consulted with the Section 43(1) local authorities on the draft SoCC between 05 April and 05 May 2023. At this time, both CWaCC and Halton Borough Council were consulted, as part of the project boundary was hosted within the administrative boundary for Halton Borough Council.</p>   |
| 25 May 2023            | <p><b>Project public launch and publication of SoCC in accordance with Section 47 of the 2008 Act</b></p> <p>On 25<sup>th</sup> May 2023, the Project was launched publicly with the launch of the dedicated project website.</p> <p>The final SoCC was publicised in accordance with Section 47 of the 2008 Act on the same day, which took account of the comments received from the LPAs. The Section 47 Notice was also published, with the notice placed in the Chester Standard and Chester Chronicle.</p>   |
| 30 May 2023            | <p><b>Scoping Report submitted</b></p> <p>The Applicant submitted a Scoping Report to the Planning Inspectorate on behalf of the Secretary of State on 30 May 2023. Through this report, the Applicant notified the Planning Inspectorate that it intended to provide an Environmental Statement (ES) in respect of the Scheme pursuant to Regulation 8(1)(b) of the EIA Regulations.</p>  |
| 01 June – 13 July 2023 | <p><b>Phase One Consultation</b></p> <p>The Applicant held a seven-week community consultation on early-stage proposals for the Scheme.</p>  |

| Date                      | Activity Undertaken   |
|---------------------------|---|
|                           | <p>The consultation period was initially scheduled for six weeks. This was communicated via a consultation postcard that was sent to the Core Consultation Zone of over 11,000 addresses, as well as an email notification to key stakeholders.</p> <p>During this time the Applicant held five in-person information events and an online webinar.</p> <p>The Applicant publicised the events and consultation information by:</p> <ul style="list-style-type: none"> <li>• Distributing a community consultation postcard to over 11,000 local homes and business;</li> <li>• Advertising the events across local media;</li> <li>• Publishing Notices in the Chester Standard and the Chester Chronicle on 25<sup>th</sup> May 2023</li> <li>• Distributing posters to identified local information points for them to display;</li> <li>• Providing details of the events on the Scheme website; and</li> <li>• Contacting identified stakeholders and individuals who had registered to be kept informed.</li> </ul> |
| 10 July 2023              | <p><b>Scoping Opinion and receipt of Regulation 11(1)(b) list.</b></p> <p>A Scoping Opinion was adopted by the Planning Inspectorate (on behalf of the Secretary of State) on 10 July 2023 and included the list of consultation bodies notified by the Planning Inspectorate under Regulation 11(1)(b) of the EIA Regulations.</p>   |
| Autumn 2023 – Summer 2024 | <p><b>Engagement between consultation regarding project design</b></p> <p>The Applicant has undertaken ongoing engagement with CwaCC, Statutory stakeholders, such as Natural England, the Environment Agency, Historic England, Canal and Rivers Trust and National Highways. Engagement has also been undertaken with interest groups such as the Cheshire Wildlife Trust and the RSPB.</p>   |
| August 2024               | <p><b>Phase One Consultation Summary Report</b></p> <p>The Applicant published a Phase One Consultation Summary Report to summarise the feedback received during the Phase One consultation and how this feedback was being used to inform the Scheme.</p> <p>The Phase One Consultation Summary Report was:</p> <ul style="list-style-type: none"> <li>• Distributed to Community Access Points in the local area, consistent with the locations stated within the SoCC.</li> <li>• Shared by email with stakeholders and individuals who had registered to be kept informed; and</li> <li>• Uploaded to the Scheme website.</li> </ul>  |
| 31 October 2024           | <p><b>Publication of SoCC Addendum and 2<sup>nd</sup> Section 47 Notice</b></p> <p>Prior to the publication of the PEIR and the commencement of the Phase Two community consultation, given the time since the Phase One Consultation, the Applicant published an Addendum to the Statement of Community Consultation and a 2<sup>nd</sup> Section 47 Notice. This addendum set out the details of the upcoming Phase Two consultation, consistent with the principles established in the published SoCC.</p> <p>On 15 October 2024, Cheshire West and Chester Council, and Halton Borough Council were invited to comment on the SoCC Addendum. Cheshire West and Chester Council commented that the Weaver Vale has been updated to Runcorn &amp; Helsby following the update to parliamentary constituencies, which was updated</p>  |



| Date                                | Activity Undertaken  |
|-------------------------------------|--|
|                                     | within the SoCC addendum. Halton Borough Council did not provide feedback on the approach set out within the SoCC addendum.  |
| 05 November 2024                    | <p><b>Notification to the Planning Inspectorate under Section 46 of the 2008 Act</b></p> <p>The Applicant notified the Secretary of State, via the Planning Inspectorate, in writing under Section 46 of the 2008 Act on 05 November 2024 that it was intending to commence consultation under Section 42 of the 2008 Act on the PEIR commencing on 07 November 2024 and closing on 19 December 2024.</p> <p>The Applicant included the following consultation documents with this notification:</p> <ul style="list-style-type: none"> <li>• a covering letter;</li> <li>• example copies of the Section 42 covering letters (one letter type being for prescribed consultees and the other one to landowners);</li> <li>• A site plan showing the location of the Scheme; and</li> <li>• A copy of the notice publicising the application under Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge).</li> </ul>  |
| 07 November 2024                    | <p><b>Publication of Preliminary Environmental Information Report (PEIR) (and Non-Technical Summary)</b></p> <p>The Applicant published a PEIR on 07 November 2024 to be consulted on as part of the statutory Section 42 (including section 44), 47 and 48 consultation with prescribed consultees, land interests, and the community (Phase Two consultation), requesting responses by 19 December 2024 (providing a 43-day consultation response period) discussed in the next row.</p> <p>Section 42 consultees were formally notified of the commencement of statutory consultation on or before 07 November by written letter and/or email, depending on the availability of contact details to the Applicant and if confirmation had been received from recipients that electronic communications could be the sole means of communication. The deadline for responding to the Section 42 consultation was 19 December 2024 (therefore exceeding the 28-day requirement).</p> <p>The consultation documents provided to Section 42 consultees comprised of:</p> <ul style="list-style-type: none"> <li>• A covering letter, including a link to the consultation materials;</li> <li>• A site plan showing the location of the Scheme; and</li> <li>• A copy of the notice publicising the application under Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge).</li> </ul> <p>The PEIR and PEIR Non-technical Summary (NTS) were made available to the community as part of the Phase Two Section 47 consultation via:</p> <ul style="list-style-type: none"> <li>• The Scheme website;</li> <li>• In hard copy form at the community information events</li> <li>• On request by USB or printed (with the latter at a cost of up to £500)</li> </ul> <p>Details of how to access the PEIR and PEIR NTS were provided via:</p> <ul style="list-style-type: none"> <li>• the Scheme website;</li> <li>• the community consultation leaflet; and</li> <li>• the Section 48 notice.</li> </ul> |
| 07 November 2024 – 19 December 2024 | <p><b>Phase Two community consultation (statutory)</b></p> <p>The Applicant held an over six-week community consultation on more detailed proposals for the Scheme, including the PEIR in accordance with the SoCC.</p>  |

| Date   | Activity Undertaken  |
|--|--|
|  | <p>During Phase Two consultation the Applicant held five in-person information events and one online webinar.</p> <p>The Applicant publicised the events and consultation information by:</p> <ul style="list-style-type: none"> <li>• Directly distributing a Community Consultation Postcard to over 11,000 properties within the Core Consultation Zone as defined within the SoCC.</li> <li>• Publishing two rounds of Section 48 notices in relevant newspapers;</li> <li>• Providing Section 42 (including section 44) consultees a Section 42 letter, Section 48 Notice and Site Location Plan, inviting bodies to be consulted;</li> <li>• Erecting Section 48 notices around the Scheme site;</li> <li>• Distributing a press release containing details of the consultation to regional media publications;</li> <li>• Distributing posters to identified local information points for them to display;</li> <li>• Distributing hard copies of consultation documents and the PEIR NTS to three Community Access Points as identified in the SoCC;</li> <li>• Providing details of the events on the Scheme website; and</li> <li>• Contacting identified stakeholders and individuals who had registered to be kept informed.</li> </ul> <p>The Applicant invited feedback from the community via a paper feedback form, an online feedback form, and feedback to the Scheme communication channels over a stated 43-day response period.</p> |
| 10 <sup>th</sup> January and 22 <sup>nd</sup> January 2025 | <p><b>Focused Design Review Sessions</b></p> <p>The Applicant held four design review meetings to provide the opportunity for the various groups to comment on and influence the design approach to the scheme. The meetings held were with the following groups:</p> <p>Meeting 1 - Frodsham Ward Cllrs / Frodsham Town Council;<br/>Helsby Ward Cllr; Frodsham Town Council.</p> <p>Meeting 2 – Cheshire Wildlife Trust; BTO Wetland Bird Survey; Cheshire and Wirral Ornithological Society, Frodsham Birder (sent apologies)</p> <p>Meeting 3 – Frodsham Festival of Walks; Cycle North Cheshire; Ramblers Association; Frodsham Town Council Sustainable Transport Coordinator</p> <p>Meeting 4 – CwaCC Case Officer, Landscape Officer, Biodiversity Officer and Footpaths Officer.</p>  |
| March 2025   | <p><b>Additional consultation with statutory bodies</b></p> <p>As part of our review to ensure adequacy of consultation, and in light of PINS' new advice regarding the Miscellaneous Provisions Regulations (both the transitional provisions in Regulation 4 and the updates to Schedule 1 of the APFP Regulations) published in May 2024, we have considered whether any new or different consultation bodies should be consulted.</p> <p>As such, an additional 23 organisations have been identified and consulted under Section 42, and we provided over the 28-day statutory minimum period to submit comments. These organisations are listed in <b>Table 12</b> within <b>Appendix 4</b> of this document.</p>  |

## Compliance with the 2008 Act

2.6. Table 2 describes how the Applicant has complied with the consultation requirements set by the 2008 Act.

**Table 2: Consultation compliance checklist with 2008 Act**

| Section   | Requirement   | Compliance   |
|---|---|--|
| Section 42 (The applicant must consult the following about the proposed application:) | a) such persons as may be prescribed,   | <p>The Applicant consulted all relevant prescribed consultees; as defined in Schedule 1 of the APFP Regulations and the Regulation 11(1)(b) parties notified by the Planning Inspectorate</p> <p>In addition to this, the Applicant consulted further 'non-prescribed', including the National Trust, the Country Land and Business Association (CLA), Chartered Association of Agricultural Values (CAAV), RSPB, National Trust, Ramblers, Liverpool City Region Combined Authority, and the Royal National Lifeboat Institute.</p>   |
|   | (b) each local authority that is within section 43  | <p>The Applicant consulted each local authority that is within S.43.</p> <p>These are listed below*:</p> <p>'B' Authorities:</p> <ul style="list-style-type: none"> <li>Cheshire West and Chester Council</li> </ul> <p>'A' Authorities:</p> <ul style="list-style-type: none"> <li>Warrington Borough Council</li> <li>Wrexham County Borough Council</li> <li>St Helens Council</li> <li>Wirral Metropolitan Borough Council</li> <li>Cheshire East Council</li> <li>Halton Borough Council</li> <li>Knowsley Metropolitan Borough Council</li> <li>Shropshire Council</li> <li>Liverpool City Council</li> <li>Flintshire County Council</li> <li>*there are no C or D authorities</li> </ul> |
|   | (c) the Greater London Authority if the land is in Greater London, and  | Not applicable.  |
|   | (d) 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.   |
| Section 45 (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. | The Applicant notified all those consulted under s. Section 42 of the deadline in writing by email and/or post.  |

| Section  | Requirement  | Compliance  |
|--|--|---|
|  | (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>All defined consultation periods (statutory and non-statutory) for Frodsham Solar have exceeded 28 days.</p> <p>The Applicant undertook statutory consultation from 07 November 2024 to 19 December 2024. Section 42 consultees were formally notified of the commencement of statutory consultation on or before 07 November by written letter and/or email, depending on the availability of contact details to the Applicant and if confirmation had been received from recipients that electronic communications could be the sole means of communication. The deadline for responding to the Section 42 consultation was 19 December 2024 (at 43 days, and therefore exceeding the 28-day requirement).</p>   |
|  | (3) In subsection (2) “the consultation documents” means the documents supplied to the person by the applicant for the purpose of consulting the person.   | <p>The consultation documents provided to Section 42 consultees comprised of:</p> <ul style="list-style-type: none"> <li>• A covering letter, including a link to the consultation materials;</li> <li>• A site plan showing the location of the Scheme; and</li> <li>• A copy of the notice publicising the application under Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge).</li> </ul> <p>A USB with all of the above materials was also available upon request, free of charge. Printed copies were also available on request, with a reasonable charge of up to £500.</p>   |
| Section 46 (Duty to notify Commission of proposed application) | (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>The Applicant notified the Secretary of State, via the Planning Inspectorate, in writing under Section 46 of the 2008 Act on 05 November 2024 that it was intending to commence consultation under Section 42 of the 2008 Act on the PEIR commencing on 07 November 2024 and closing on 19 December 2024</p> <p>The Applicant included the following consultation documents with this notification:</p> <ul style="list-style-type: none"> <li>• a covering letter,</li> <li>• example copies of the Section 42 covering letters (one letter type being for prescribed consultees and the other one to landowners);</li> <li>• A site plan showing the location of the Scheme; and</li> <li>• A copy of the notice publicising the application under Section 48 of the 2008 Act (including details of the public consultation events and the locations where the consultation documents could be inspected free of charge).</li> </ul> |
|  | (2) The applicant must comply with subsection (1) on or before   | The Applicant notified the Secretary of State, via the Planning Inspectorate, in writing under Section 46 of the  |

| Section  | Requirement   | Compliance  |
|--|---|---|
|  | commencing consultation under section 42.   | 2008 Act on 05 November 2024 that it was intending to commence consultation under Section 42 of the 2008 Act on the PEIR commencing on 07 November 2024 and closing on 19 December 2024.  |
| Section 47 (Duty to consult the local community) | (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 and published a Statement of Community Consultation.   |
|  | (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.  | To inform the preparation of the statement, the Applicant consulted each local authority that is within Section 43(1) on the content of the SoCC, being: <ul style="list-style-type: none"> <li>Cheshire and West Chester Council.</li> <li>Halton Borough Council</li> </ul> For consultation on the SoCC Addendum to set out in more detail how the Applicant would carry out Phase Two Consultation, in October 2024, Halton Borough Council were again consulted. This was because properties within the CCZ remained within their administrative area, and for consistency in approach between consultations regarding the SoCC. |
|  | (3) The deadline for the receipt by the applicant of a local authority's response to 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. | The Applicant formally consulted with the Section 43(1) local authorities on the draft SoCC from 05 April 2023 – 05 May 2023  |
|  | (4) In subsection (3) “the consultation documents” means the documents supplied to the local authority by the applicant for the purpose of consulting the local authority under subsection (2).   | The consultation documents supplied by the Applicant included a covering letter and email, and the draft SoCC.  |
|  | (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).  | The Applicant had regard to all relevant comments received on the draft SoCC.<br><br>The Applicant shared a response table with each local authority to explain how their comments had been considered. This detail will also be included in the Consultation Report.   |
|  | 6) Once the applicant has prepared the statement, the applicant must — make the statement available for   | The final SoCC was publicised in accordance with Section 47 of the 2008 Act on 25 May 2023, having regard to the local authorities' comments.   |

| Section  | Requirement   | Compliance  |
|--|---|---|
|  | <p>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 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>The SoCC was uploaded to the document library on the Applicant's website and made available to view and collect from the public venues (Community Access Points) listed below.</p> <p><b>Community Access Points:</b></p> <ul style="list-style-type: none"> <li>• Frodsham Library</li> <li>• Helsby Library</li> <li>• Ellesmere Port Library</li> </ul> <p>Notices were published in the Chester Chronicle and the Chester Standard on 25 May 2023 to publicise the SoCC and its availability.</p> <p>The publication of the SoCC was also communicated through emailing identified key stakeholders and any party that had registered to be kept informed of project updates.</p>  |
|  | (7) The applicant must carry out consultation in accordance with the proposals set out in the statement.  | <p>The Applicant undertook consultation under Section 47 of the 2008 Act in accordance with the SoCC.</p> <p>This is evidenced in a further table in this document and will be further detailed in the Consultation Report.</p>   |
| Section 48 (Duty to publicise)   | (1) The applicant must publicise the proposed application in the prescribed manner.   | <p>The Applicant prepared and publicised the application in the prescribed manner set out in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 by publishing a Section 48 notice.</p> <p>The Section 48 Notice was published in the following publications:</p> <ul style="list-style-type: none"> <li>• The Chester Standard (31 October 2024 and 07 November 2024)</li> <li>• The Chester Chronicle (31 October 2024 and 07 November 2024)</li> <li>• The Guardian (31 October 2024)</li> <li>• The London Gazette (05 November 2024)</li> </ul> <p>It was determined by the Applicant that it was not required to place a notice within Fishing News or Lloyds List, as the Project does not include any offshore development.</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>The Section 48 notice included a deadline of 19 December 2024 for receipt of responses to the publicity. The final notice was published on 07 November 2024, providing a total of 43 days for responses, therefore exceeding the 28 days statutory minimum response time.</p>  |
| Section 49 (Duty to take account of responses to consultation and publicity) | <p>(1) Subsection (2) applies where the applicant —</p> <p>(a) has complied with sections 42, 47 and 48, and</p>  | <p>The Applicant has had and will continue to have regard to all relevant responses made pursuant to Section 42, Section 47 and Section 48 in the preparation of the DCO application for the Project in accordance with Section 49.</p>   |

| Section  | Requirement  | Compliance   |
|--|--|--|
|  | <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 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>A summary of relevant responses received and how the Applicant has considered these will be provided in the Consultation Report, and a short summary is provided in Section 4 of this document.</p>   |
| Section 50<br>(Guidance about pre-application procedure) | <p>(1) Guidance may be issued about how to comply with the requirements of this Section.</p> <p>(2) Guidance under this section may be issued by the Planning Inspectorate or the Secretary of State.</p> <p>(3) The applicant must have regard to any guidance under this section.</p>  | <p>The Applicant has had regard to the Department for Communities and Local Government (DCLG, 2015), Planning Act 2008: guidance on the pre-application process.</p> <p>The Applicant has also had regard to updated guidance published by the Planning Inspectorate in April 2024 and the updated Advice Note on the Consultation Report, published in August 2024.</p> <p>This will be set out in full in the application Consultation Report.</p> |



### 3. STATEMENT OF COMMUNITY CONSULTATION

#### Overview

- 3.1. In accordance with Section 47 of the 2008 Act, a draft Statement of Community Consultation ('SoCC') was prepared, consulted on with host authorities, finalised and published ahead of commencing statutory consultation on the Project.
- 3.2. In accordance with Section 47 of the 2008 Act, a draft Statement of Community Consultation ('SoCC') was prepared, consulted on with host authorities, finalised and published ahead of commencing consultation on the Project.
- 3.3. Section 47(2) of the 2008 Act states that before preparing the SoCC, the Applicant must consult each local authority that is within Section 43(1) in regard to the content of the SoCC.
- 3.4. The finalised SoCC was shared with each host authority prior to publication, alongside a table explaining how each of their comments on the draft had been considered and whether it informed a change to the document content.
- 3.5. The applicant consulted the following host authorities on the content of the SoCC:
  - Cheshire West and Chester Council;
  - Halton Borough Council;
- 3.6. At this time, both CWaCC and Halton Borough Council were consulted, as part of the project boundary was hosted within the administrative boundary for Halton Borough Council.
- 3.7. The Applicant considered comments made by these authorities, before publishing the SoCC in accordance with Section 47(6) of the 2008 Act, as described below. A copy of the final SoCC can be seen in Appendix 2 of this document, and a copy of the SoCC Addendum can be seen in Appendix 3.
- 3.8. The Applicant has subsequently undertaken consultation consistent with the principles and commitments and principles set out in the published SoCC, in accordance with Section 47(7) of the 2008 Act.

## Consultation on a draft SoCC

- 3.9. The Applicant formally provided a draft SoCC to host authorities for consultation on 05 April 2023. This was provided alongside a covering email and letter to explain the purpose of the draft SoCC, the response process and deadline for comments.
- 3.10. The Applicant stated a response deadline of 05 May 2023. This provided a consultation period of 30 days, therefore exceed the requirement set in Section 47(3) to provide a period of 28 days.
- 3.11. Cheshire West & Chester Council and Halton Borough Council provided comments on the draft SoCC.
- 3.12. The responses received from these authorities to this consultation on the draft SoCC were considered by the Applicant when finalising the SoCC prior to publication.
- 3.13. A copy of the final SoCC, alongside a table explaining how comments received had been considered by the Applicant when finalising the SoCC, were shared with each host authority following publication on 09 June 2023.
- 3.14. The feedback submitted to the consultation on the draft SoCC, and how this was considered by the Applicant, is described in Table 3 and Table 4. It is consistent with what was shared with the LPAs in June 2023, but has been updated following the completion of Phase Two Consultation.
- 3.15. Prior to the second phase of consultation, a SoCC Addendum was drafted to provide more details of how the Applicant intended to carry out the second phase of consultation and to explain how the proposed approach was consistent with the principles and commitments set out in the published SoCC.
- 3.16. The SoCC addendum was provided to Cheshire West and Chester Council, and Halton Borough Council on 15 October 2024 for comment.
- 3.17. Cheshire West and Chester Council commented that the Weaver Vale has been updated to Runcorn & Helsby following the update to parliamentary constituencies, which was updated within the SoCC addendum, can be seen in Appendix 3: Statement of Community Consultation Addendum – October 2024.

Halton Borough Council did not provide feedback on the approach set out within the SoCC addendum.

**Table 3: Applicant consideration of feedback received to the draft SoCC from Cheshire West and Chester Council (Comments provided 09 June 2023).**

| Feedback  | Applicant Response   | Updated SoCC Text (if applicable) |
|---|--|-----------------------------------|
| <b>General Comments</b>   |  |                                   |
| I can advise that the Council is in general agreement with the content of the proposed consultation approach within the SoCC.   | Noted.   |                                   |
| It should be noted that as your accompanying e-mail on 5th April 2023 refers to the consultation being carried out in confidence this response is at an officer level only (as discussed previously) and that the intention is that you will carry out briefings with Councillors, in particular the Ward Councillors, before finalising the SoCC and commencing formal consultation. | Noted.<br><br>The Applicant's programme allowed time following local elections (5 <sup>th</sup> May 2023) before finalising the SoCC.<br><br>Briefings were offered to councillors at Cheshire West and Chester Council, with two briefing meetings held on 24 <sup>th</sup> May 2023, prior to the publication of the SoCC and commencement of formal consultation. |                                   |
| Also, due to the confidential nature of the request for comments at present, I have not contacted colleagues at Halton Borough Council to liaise and co-ordinate a response to the SoCC. I have restricted commenting to this Council's administrative area and presume that Halton Borough Council will provide comments relevant to their area.                                     | Noted.<br><br>Halton Borough Council were also consulted on the draft SoCC and have provided comments separately.  |                                   |
| You have separately requested a meeting/briefing be arranged for Councillors before the consultation commences, and this is welcome.  | Briefings were offered to councillors at Cheshire West and Chester Council, with two briefing meetings held on 24 <sup>th</sup> May 2023, prior to the publication of the SoCC and commencement of formal consultation.  |                                   |
| <b>1. Introduction</b>  |  |                                   |
| No Comments   | Noted.   |                                   |
| <b>2. About Us</b>  |  |                                   |
| No Comments   | Noted.   |                                   |

| Feedback   | Applicant Response  | Updated SoCC Text (if applicable)  |
|--|---|--|
|  |   |  |
| <b>3. Frodsham Solar</b>   |   |  |
| <p>This section is primarily a description of the proposed development, with some commentary on the scheme's potential.</p> <p>The proposed description refers to the proposal being situated on land to the north of the M56 and east of Frodsham Windfarm. It appears that part of the proposed site is within / beneath the eastern cluster of the windfarm turbines, and the location should therefore be clarified.</p> | <p>This text description in the SoCC will be updated to clarify location as requested.</p>  | <p>The proposal is situated on land to the north of the M56, including an area of land beneath the eastern cluster of turbines of Frodsham Wind Farm.</p>  |
| <p>It would be helpful to provide further indication of the potential scale of the ground-mounted solar array e.g. how many panels, what site coverage is proposed? Incorporation of initial design parameters for the scheme may help to comprehend the consultation better.</p>  | <p>Noted.</p> <p>While this level of scheme detail isn't included within the Statement of Community Consultation, further information on these topics will be provided as appropriate through consultation materials during the pre-application stage.</p>                            |  |
| <p>It would also be useful to describe the scale of the BESS, both physically (e.g. are they equivalent to single or double mounted shipping containers) and in terms of capacity (e.g. the megawattage of storage)?</p>   |   |  |
| <p>Further details of the proposed construction aspects of the scheme would assist e.g. likely duration, access routes for construction.</p>   |   |  |
| <p>Confirmation of the nature of the operational development would also be beneficial e.g. is it permanent or for a temporary duration, and if so how long?</p>  |   |  |
| <p>A summary of potential / key impacts may assist with focussing consultation feedback.</p>   |   |  |
| <p>An acknowledgement / summary details of cumulative impacts and relationship with other developments (e.g. the Hynet Hydrogen Pipeline DCO), as well as impacts/relationship with existing development in the area, (such as the windfarm) ought to be referenced.</p>   |   |  |
| <p>Commentary on the relevance / relationship to the EIA process should be included. Whilst scoping of the EIA is liable to concentrate on technical consultees input, some other interested parties may wish to contribute to the scoping process, and clarification of how community representations will be handled would be welcome.</p>   | <p>Noted. An additional paragraph has been included in Section 9 to explain the intention for community consultation phases to be held in parallel with statutory consultation on EIA materials, allowing interested members of the community to access and comment on materials.</p> | <p>We intend to coordinate the timing of community consultation phases to align with the publication of the Scoping Report and the PEIR. This will allow community members to consider and provide feedback to us directly on relevant EIA information in parallel to statutory consultees. All comments will be considered.</p> |

| Feedback   | Applicant Response  | Updated SoCC Text (if applicable)  |
|--|---|--|
| Clarification of the scope of the draft Development Consent Order (DCO) to be sought would be beneficial e.g. in terms of identifying the extent/nature of non-planning consents that may be included, and any use of compulsory purchase powers.  | Noted.<br><br>While this level of scheme detail isn't included within the Statement of Community Consultation, further information on these topics will be provided as appropriate through consultation materials during the pre-application stage.                         |  |
| <b>4. Our Public Consultation Process</b>  |   |  |
| The proposal for a minimum of a two-phase consultation, both phases lasting longer than the statutory minimum period, is supported.  | Noted.  |  |
| The initial phase of consultation, seeking feedback on the concept plan, appears to offer opportunity for the community to influence refinement of the project.  | Noted.  |  |
| At present the SoCC refers to some potential issues:<br><ul style="list-style-type: none"> <li>• Temporary impacts during construction, such as traffic and noise.</li> <li>• Operational impacts, such as upon wildlife, landscape, and views.</li> <li>• Benefits, such as the opportunity for biodiversity and recreational improvements.</li> </ul> However, it is not clear what level of detail will be available to help make informed comments.  | Information will be provided through community consultation materials.<br><br>An additional paragraph has been added to Section 4 to explain the type of information and detail that will be shared through consultation materials (which are then described in Section 6). | Details to inform responses on these topics – such as visual plans, descriptions of design parameters, and proposed mitigation measures – will be presented through the materials and activities described in Section 6. |
| It would assist the process if the concept plan were accompanied by supporting documentation including information such as the following:<br><ul style="list-style-type: none"> <li>• Details of site constraints</li> <li>• Details of the essential project parameters (e.g. minimum requirements)</li> <li>• Details of the project development to date (similar to information often provided in a design and access statement, e.g. as to how the project / design has evolved to date, options already considered)</li> <li>• Details / summary of anticipated impacts (and benefits)</li> <li>• Details of any emerging options / matters where community feedback would be particularly pertinent</li> </ul> | Noted.<br><br>While this level of scheme detail isn't included within the Statement of Community Consultation, further information on these topics will be provided as appropriate through consultation materials during the pre-application stage.                         |  |
| Reference is made to submitting the EIA Scoping Report to the Planning Inspectorate (PINS) in parallel with your Phase One consultation, and the   | Noted.<br><br>This sentence has been removed from   |  |

| Feedback   | Applicant Response   | Updated SoCC Text (if applicable) |
|--|--|-----------------------------------|
| <p>following statement is included in the SoCC “This means that communities will not be involved in the EIA Scoping Report consultation”. This does not appear to be in inclusive approach and justifies further explanation. This may also be a missed opportunity to facilitate access to the EIA scoping material for those participating in the Phase 1 consultation to provide better more informed comments. It is acknowledged that EIA scoping does not normally entail public consultation, but as a minimum a clear explanation should be included in the SoCC. It is also recommended that clear signposting be included for those that may wish to make comment on the EIA process including the Preliminary Environmental Information Report (PEIR) and subsequent ES (see also comments further below on Section 9).</p> | <p>Section 4, and additional clarification has been added to Section 9 (as described above).</p>   |                                   |
| <p>The options for providing consultation responses beyond simple objection (or support) should be clarified, to encourage comments on potential mitigation, without prejudice to any in principle concerns.</p>   | <p>Noted and agreed that responses on potential mitigation should be encouraged, beyond and without prejudice to positions of opposition or support.</p> <p>The sub-section <b><i>What will we consult on?</i></b> within Section 4 (<b><i>Our public consultation process</i></b>) sets out the aim of the pre-application public consultation process, including an explanation of what will be consulted on. The SoCC does not refer to levels of objection or support.</p> <p>For example, the SoCC includes the following text:</p> <p><i>The aim of our pre-application public consultation is to ensure that both community and technical consultees have a chance to understand and influence our proposal. We will seek feedback to help develop our proposal. This will include potential issues such as, but not limited to:</i></p> <ul style="list-style-type: none"> <li><i>• Temporary impacts during construction, such as traffic and noise.</i></li> <li><i>• Operational impacts, such as upon wildlife, landscape, and views.</i></li> <li><i>• Benefits, such as the opportunity for biodiversity and recreational improvements.</i></li> </ul> |                                   |

| Feedback   | Applicant Response  | Updated SoCC Text (if applicable)   |
|--|---|---|
|  | Section 6 of the SoCC: <b>How will we consult ?</b> sets out how the Applicant ensured inclusive, meaningful and open consultation. The activities include a range of methods to ensure our consultation can be accessed by all members of the community.   |   |
| Requests for feedback/feedback forms should encourage detailed comments beyond the question of the principle of objection/support and the reasons for such, but to explicitly encourage comments from objectors / interested parties as to how the project might be modified or mitigated if it is to be consented.  | Noted and agreed.<br><br>Feedback forms will be published for each phase of community consultation. These forms will include a series of closed and open questions to encourage feedback on a range of topics, including potential opportunities and mitigation, beyond levels of opposition and support. |   |
| In terms of consultation reporting, the proposal to share a high-level document summarising the responses received during the first phase of consultation, and how you are considering the feedback is supported.  | Noted.  |   |
| Further details of how you intend to share/publicise the high-level document summarising responses received during the Phase One consultation and how it has influenced the proposals prior to Phase Two consultation should be confirmed. The expectation being that anyone that has commented will be readily able to access such summary/feedback report. | Noted.<br><br>Additional text has been added to Section 4 to clarify this.  | During the pre-application phase we will share a high-level document summarising the responses we have received during the first phase of consultation, and how we are considering this feedback. This document will be made publicly available on the project website and provided in hard copy by request. Key stakeholders, such as relevant local planning authorities and parish councils, and anyone who has registered to be kept informed will be notified of the document being published. |
| Provision should be made to offer post consultation briefings to Parish Councils (and/or other organisations requesting it) at the end of the Phase 1 and/or Phase 2 consultations for the Applicant to relay their responses to the consultation process.   | Text has been amended in Section 6 ( <b>Meetings</b> ) to confirm that stakeholder meetings may be arranged in between as well as during consultation phases.   | Meetings and briefing sessions may be arranged with local parish councils, elected members and key local stakeholder groups during and in-between the two phases of community consultation.   |



| Feedback   | Applicant Response  | Updated SoCC Text (if applicable)  |
|--|---|--|
| <p>Following the Phase 2 consultation, provision should be made to offer opportunity to the Local Authorities and Parish Councils (and any other interested party or consultee who requests the opportunity) to provide comment on the Applicant's responses to consultation prior to finalising the Consultation Report (required under Section 37 of the Planning Act 2008).</p> | <p>Noted.</p> <p>We intend to continue working with local authorities throughout and beyond phases of community consultation. This may involve ongoing engagement and exploring Statements of Common Ground.</p> <p>However, we are not in a position to commit to sharing all responses to consultation prior to submitting our Consultation Report. We acknowledge the important role of the Examination Phase of the DCO process on this matter.</p> |  |
| <p>The SoCC should set out details of how the community will be kept informed of changes to the scheme, even if the changes are not material and triggering the need for further consultation. The SoCC should also enable pursuit of a localised/targeted consultation should particular issues arise through initial consultation.</p>   | <p>An additional subsection (<b>Ongoing engagement</b>) has been included within Section 4 (<b>Our public consultation process</b>) to explain this.</p>  | <p><b>Ongoing engagement</b></p> <p>Our free to use communication lines will remain open throughout the pre-application consultation period, so that any engagement with stakeholders can continue outside of defined phases of consultation. The project website will also be kept updated with relevant project information and materials. This includes if there are any changes to the project that may or may not require a formal targeted consultation period. We will discuss the details of any further consultations that may be needed with the local planning authorities.</p> |
| <p>The SoCC should include details of how any interested party should respond if they are dissatisfied with the consultation process at any point, including initial reference to the Applicant, and if necessary, referral to their Local Authority, or ultimately to the Secretary of State (via PINS).</p>  | <p>Noted. Additional text has been included within Section 4 (<b>Our consultation process</b>) to explain this.</p> <p>The SoCC, alongside other communications materials such as the project website, will also refer to the Planning Inspectorate's website where information is available in their FAQs.</p>   | <p>Any feedback on our methods of consultation is encouraged and will be considered by our team. Comments on our community consultation are best provided to us for consideration in the first instance, so that they can be addressed when designing future consultation activities. When we submit our DCO application, Local Planning Authorities will be invited to provide an Adequacy of Consultation Representation.</p>  |

| Feedback   | Applicant Response   | Updated SoCC Text (if applicable)   |
|--|--|---|
| A statement in relation to how you will ensure compliance with the requirements of the General Data Protection Regulation (GPDR) would be advisable.   | Noted. Text added to Section 4 ( <b><i>Our Public Consultation Process</i></b> ).  | <b>General Data Protection Regulation (GDPR)</b><br><br>Throughout the pre-application consultation period, all stakeholder personal details will be stored in compliance with the GDPR by Counter Context, acting on behalf of the Frodsham Solar project team, and will not be shared with any third parties. |
| <b>5. Who Will We Consult?</b>   |  |   |
| There is no objection to the Figure 3 consultation zone in terms of the geographical extent of notifying residents etc in the locality. This is supported, noting that the SoCC acknowledges that some interested parties may be outside the zone identified, but will still have opportunity to comment via other publicity.  | Noted.   |   |
| The proposals for engaging with other interested stakeholders, including the Town and Parish Councils and seldom heard groups are supported.   | Noted.   |   |
| Whilst liaison with the Town and Parish Council's may cover the Neighbourhood Planning Groups in this instance, as the three designated neighbourhood areas covered by the proposals were submitted by the respective Town/Parish Council, it would be advisable to consult the Neighbourhood Planning Groups for Frodsham, Helsby and Ince Parish.<br>Neighbourhood Planning - Keystone (cheshirewestandchester.gov.uk)<br>Frodsham - pre-submission (regulation 14) consultation ran from 24 October to 4 December 2022.<br>Helsby – neighbourhood plan made 8 June 2016<br>Ince Parish – at Examination (publicity stage (regulation 16) ran from 30 January - 14 March 2023) | Noted.<br><br>The parish councils of Frodsham, Helsby and Ince will be notified of project information and consultation opportunities.<br><br>The contact email for Frodsham Neighbourhood Plan (frodshamplan@gmail.com) has been added to our stakeholder list and will also be notified of consultation opportunities. |   |
| You will be aware of the statutory requirements for consultation with the Marine Management Organisation (MMO), if you have not already engaged with the MMO it is recommended that they be contacted even if a statutory consultation is not triggered.   | Noted.<br><br>Our team has now engaged with the MMO to confirm with them any need or request for consultation with them.   |   |

| Feedback   | Applicant Response  | Updated SoCC Text (if applicable) |
|--|---|-----------------------------------|
|  | At Phase Two Consultation, the Project included the MMO notwithstanding that the scheme does not involve works in the marine environment.   |                                   |
| An excel spreadsheet accompanies this letter with names of various other organisations/groups that should be considered for inclusion in the consultation. The list is not exhaustive, and some you will already have identified as being consultees. I have not included addresses and contact details, but if you require assistance with this please let me know. | <p>Noted and thanks.</p> <p>Community organisations and representatives within this list are included within the project stakeholder list and will be notified of project information and community consultation activities. They received an email prior to each phase of consultation notifying them of consultation and opportunities to comment.</p> <p>We note a number of more technical or specialist organisations will be engaged through the EIA process (e.g. consultation on the Scoping Report) and the upcoming statutory Section 42 consultation (Phase Two consultation).</p> <p>The Applicant hasn't been able to identify contact details for all organisations on the list, and would be grateful if Cheshire West and Chester Council could supply these. These specific organisation are listed in the accompanying email.</p> |                                   |
| Pamela Bradley, Senior Manager, Communities & Engagement: Rural should be a useful contact for assistance and ongoing support in terms of the community engagement.  | Noted and thanks.   |                                   |
| <b>6. How will we consult?</b>   |   |                                   |
| The proposals to carry out consultation and publicity using a variety of methods including meetings, events, literature and on-line sources of information is supported. Consideration of the use of social media should be included.  | <p>Noted.</p> <p>We do not intend to establish a standalone social media profile for the project, as it wouldn't be expected to have as wide an audience reach as existing social media channels.</p> <p>Section 5 (<b>Who Will We Consult?</b>) of the SoCC notes how information will be provided to parish councils to allow them to publicise consultation opportunities</p>  |                                   |

| Feedback   | Applicant Response  | Updated SoCC Text (if applicable) |
|--|---|-----------------------------------|
|  | through their existing social media channels.   |                                   |
| Press adverts using Chester Chronicle and Chester Standard is considered appropriate. Frodsham Life as an on-line newspaper may provide an appropriate source of further publicity.  | <p>Noted. Adverts and notices have been placed in the Chester Chronicle and Chester Standard.</p> <p>Frodsham Life will be added to media distribution list for press releases.</p>   |                                   |
| The proposed number of meetings/events etc. are considered appropriate. Consideration of an in-person event at one of the local schools would be advantageous in terms of inclusion of young persons as one of the potential hard to reach groups. | <p>Noted.</p> <p>Suitability and availability of school venues were considered for events at Phase Two, but it was determined that the same venues would be used for the Phase Two Consultation as were used at Phase One Consultation, for consistency with the approach set out in the SoCC.</p> <p>Ahead of consultation, we contacted a number of schools to notify them of consultation activities. Our approach to consultation was intended to be accessible to people of all ages. Furthermore, the event in Elton Community Centre was adjacent to Elton Primary School, and the event time overlapped with the end of school day.</p> |                                   |
| Holding events to include the evenings and weekends is supported.  | Noted.  |                                   |
| There should be provision in the programme for adequate publicity of in-person information events before the respective Phase 1 and Phase 2 consultations commences.   | <p>Noted and agreed.</p> <p>The intention is for information events to be arranged during the middle period of the consultation phase, allowing approx. two weeks' notice of events from consultation launch and associated publicity, which will include press releases, adverts, mailouts and online updates.</p> <p>For Phase One consultation, information event details were publicised from 25<sup>th</sup> May 2023. The first information event is arranged for Saturday 17<sup>th</sup> June (over three weeks later).</p>   |                                   |

| Feedback   | Applicant Response   | Updated SoCC Text (if applicable)   |
|--|--|---|
| <p>Consideration should be given to recording the webinar for subsequent public viewing by those not able to access the webinar at the original event time. The responses to questions raised at the webinar should be made available post the meeting. Responses should also be provided for any questions not able to be covered during the meeting.</p>   | <p>Noted.</p> <p>The webinar is part of a range of activities designed to make information available during phases of consultation, which also include a series of in-person information events and free-to-use communications channels to submit questions.</p> <p>We agree to adding a recording of the webinar presentation and have added text to Section 6 (<b>How will we consult?</b>) to confirm this.</p> <p>We will consider updating the FAQs published on the project website following the webinar and information events, and will encourage any questions still considered unanswered to be submitted for response via the communications channels.</p>   | <p>A recording of the webinar presentation will be made available on the project website.</p> |
| <p>Meetings, events, webinar, briefing sessions should be held early enough that the timing of events does not materially reduce or restrict the community's ability to make comments on the project during the statutory minimum 28 days consultation period. It appears appropriate to commence meetings / events immediately before the commencement of the formal consultation period where practical.</p> | <p>Noted and agreed.</p> <p>The SoCC commits to phases of consultation being held for longer than the statutory minimum of 28 days.</p> <p>The intention is for information events to be arranged during the middle period of consultation phases, therefore allowing sufficient time following the final event for attendees to consider the information they have accessed before finalising their consultation responses.</p> <p>For example, for Phase One consultation the final in-person information event is scheduled for 23<sup>rd</sup> June 2023 and a subsequent community webinar is scheduled for 26<sup>th</sup> June 2023, ahead of the response deadline of 13<sup>th</sup> July 2023.</p> <p>Key stakeholders and consultees will be notified in advance of consultation phases commencing.</p> |   |
| <p>In conducting the consultation, the SoCC should reference / adopt appropriate standards of accessibility in relation to accessing the various</p>   | <p>Noted and thanks. Cheshire West and Chester protocols will be considered when undertaking engagement</p>  |   |

| Feedback  | Applicant Response  | Updated SoCC Text (if applicable)   |
|---|---|---|
| materials and events to ensure inclusive consultation. The Council has developed protocols in relation to accessibility that should be adopted where practical.   | activities.<br><br>Section 5 ( <b>Who will we consult?</b> ) states that our consultation has been developed with the intention of being accessible to all groups in the community, and presents the names of gateway organisations representing potentially seldom heard groups in the consultation area that will be engaged to inform consultation activities.<br><br>Section 11 ( <b>Contact Us</b> ) includes text advertising the ability for information to be provided in alternative formats (such as large print, translated language, audio or braille). |   |
| You should ensure that venues are appropriate to provide access for all.  | Noted and agreed. This will be considered by our team when identifying and booking venues for public events.  |   |
| Local existing information points should include local libraries in the consultation area (Frodsham Library and Helsby Library) along with Ellesmere Port library.  | These locations have been included as proposed Local Information Point locations.   |   |
| The location of the in-person information events, proposed for: Frodsham Community Centre, Helsby Community Centre and Elton Community Centre, appears appropriate, although some flexibility in the SoCC is advocated to enable consideration of other potential venues; e.g. Castle Park Arts Centre; Frodsham Leisure centre, local schools. | Noted and agreed.<br><br>The community centres listed have been confirmed as information event venues for Phase One consultation information events.<br><br>Flexibility has been retained for considering alternative venues for Phase Two consultation.  |   |
| Consideration should be given to holding on-line and / or in-person workshops / focus group meetings to explore in more depth key issues/concerns within the community, and in particular the potential opportunities for proposals to mitigate impacts.  | We will consider the opportunity and merits for holding topic-specific working groups following feedback to the first phase of community consultation.<br><br>A series of focused design feedback meetings were held in January 2025 as described in Table 1.   |   |
| In addition to the display of publicity posters/material at local existing information points the display of site notices in suitability prominent/accessible positions in the vicinity of the site, prior to the commencement of the Phase 1   | Local Information Points will be provided with posters advertising consultation opportunities for display during each phase of consultation. Text in Section 6 ( <b>How Will We Consult?</b> ) has been   | Local existing information points such as village halls, places of worship, shops and civic buildings will be provided with posters containing consultation |

| Feedback  | Applicant Response  | Updated SoCC Text (if applicable)  |
|---|---|--|
| and Phase 2 consultation phases, should be provided. Arrangements to replace any notices removed during the consultation periods should be put in place.  | updated to reflect this.<br><br>As the second phase of community consultation will be held in parallel with a statutory consultation under Section 42 of the Planning Act, it will also involve placing statutory notices in the vicinity of the project area.  | information for each phase of consultation.  |
| <b>7. Community Access Points</b>   |   |  |
| The use of Community Access Points for provision of hard copies of materials etc is supported. Consideration of additional access points would be beneficial, potentially including Castle Park Arts Centre, Frodsham Library, Helsby Library and Ellesmere Port library.   | Frodsham and Helsby library have now been included as agreed CAP sites. However these are in place of others previously suggested, as three designated CAP sites is considered proportionate.   | Updated table in Section 7 (Community Access Points)   |
| <b>8. The Planning Process</b>  |   |  |
| No Comments   | Noted.  |  |
| <b>9. Environmental Information</b>   |   |  |
| Regulation 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires that the SoCC must state whether the development is EIA development, and if so, how it is intended to publicise and consult on the preliminary environmental information.<br><br>It is recommended that this be expanded on for clarity. It may be best to include reference to the status as EIA development early in the SoCC (possibly Section 3). As noted earlier, Section 4 should be clear on the EIA process and opportunity to access and comment on the various stages of the EIA. Section 9 is a useful summary of the EIA stages. It could be expanded to clarify whether links to the Scoping Report will be available as part of the Phase 1 consultation, and how the Scoping Report provides additional information to assist in the Phase 1 feedback process. For the PEIR some expansion on how this will be publicised and consulted on is needed (either in Section 4 or Section 9). | Noted.<br><br>Section 9 ( <b>Environmental Information</b> ) confirms that Frodsham Solar will be subject to EIA. This includes explaining how publication of the PEIR will be coordinated with Phase Two community consultation.<br><br>Text has been added to Section 1 ( <b>Introduction</b> ) to confirm earlier in the SoCC that the project will be subject to EIA.<br><br>Text has been added to Section 9 ( <b>Environmental Information</b> ) to explain how community consultation will be aligned with the publication of Scoping Report and PEIR to allow community to access and comment on EIA information. | <b>Additional text for Section 1 (Introduction):</b><br><br>This SoCC outlines how we will consult during the 'pre-application stage' before we submit our Development Consent Order ("DCO") application for the project to the Planning Inspectorate. We will also be undertaking an Environmental Impact Assessment (EIA) on the proposals. There is more information on the DCO and EIA process in Sections 8 and 9 of this SoCC and on the Planning Inspectorate's website .<br><br><b>Additional text for Section 9 (Environmental Information):</b><br><br>A Scoping Report and PEIR (explained below) will be consulted on as part of the EIA |



| Feedback  | Applicant Response | Updated SoCC Text (if applicable)  |
|---|--------------------|--|
|   |                    | <p>process and as the DCO application is prepared.</p> <p>We intend to coordinate the timing of community consultation phases to align with the publication of the Scoping Report and the PEIR. This will allow community members to consider and provide feedback to us on relevant EIA information in parallel to statutory consultees. All comments will be considered.</p> |
| <b>10. Indicative Consultation Timeline</b>   |                    |  |
| No Comments.  | Noted.             |  |
| <b>11. Contact Us</b>   |                    |  |
| No Comments.  | Noted.             |  |
| For information, a link to the Council's statement of community involvement (updated Oct 2022) is provided. | Noted and thanks.  |  |

**Table 4: Applicant consideration of feedback received to the draft SoCC from Halton Borough Council (Comments provided 09 June 2023).**

| Feedback   | Applicant Response   | Updated SoCC Text (if applicable) |
|--|--|-----------------------------------|
| <b>4. Our Public Consultation Process</b>                          |  |                                   |
| No Comments.   | Noted.   |                                   |
| <b>5. Who Will We Consult?</b>                                     |  |                                   |
| Council agree with proposed zone of consultation.                  | Noted.   |                                   |
| <b>6. How Will We Consult?</b>                                     |  |                                   |
| The Council would suggest that an event should be held in Runcorn. | <p>Noted.</p> <p>An information event has been arranged to take place at Christchurch Hall, Runcorn on Tuesday 20th June, as part of our Phase One community consultation.</p> <p>Flexibility has been retained for considered venues when organising information events for the Phase Two community consultation.</p> |                                   |

| Feedback  | Applicant Response  | Updated SoCC Text (if applicable) |
|---|---|-----------------------------------|
| Publicity should be considered in the Runcorn Weekly News which covers this area. | Runcorn Weekly News has been included in the media list for press releases. |                                   |

### Publication and publicity of the SoCC

- 3.18. The final SoCC was publicised in accordance with Section 47(6) of the 2008 Act on 25 May 2023.
- 3.19. The SoCC was uploaded to the document library on the Applicant's website and made available to view and collect from the public venues (Community Access Points) listed in table 2 and accompanying notice.
- 3.20. Section 47 notices were published in the Chester Standard and the Chester Chronicle on 25 May 2023 to publicise the SoCC and its availability.
- 3.21. The publication of the SoCC was also communicated through emailing identified key stakeholders and any party that had registered to be kept informed of project updates.

### Compliance with the SoCC

- 3.22. The Applicant undertook consultation consistent with the commitments established in the published SoCC, in accordance with Section 47(7) of the 2008 Act.
- 3.23. Table 5 describes how the Applicant has complied with commitments set out within the published SoCC, as published in 2023.
- 3.24. Table 6 adds any commitments that were added on in the addendum to the SoCC published in October 2024, where relevant. Please note that commitments that applied to both phases of the SoCC are stated within Table 5.

Table 5: SoCC commitments and Applicant compliance, as set out in the SoCC published in May 2023

| Section                                   | Commitment   | Compliance   |
|---|--|--|
| <b>1.Introduction</b>                     | The approach to consultation set out in this document has been consulted upon with Cheshire West and Chester Council and Halton Borough Council in accordance with Section 47(2) of the Planning Act 2008. We have had regard to the comments that they have made.                                 | The Applicant had regard to the comments made following the SoCC consultation between 05 April and 05 May 2023. Tables 3 and 4 of this document show how the Applicant had regard to the comments, which were submitted to the respective local authorities on 09 June 2023.   |
|   | We recognise consultation to be a vital stage in the development of our proposals. We want to receive feedback and work with stakeholders to refine our proposals for Frodsham Solar. This will allow us to develop our plans responsibly and in a manner that supports local community interests. | <p>Between Phase One and Phase Two consultation for Frodsham Solar, the Applicant made a number of design changes and refinements, as a result of community feedback and ongoing environment assessment.</p> <p>The Applicant has set out how feedback has been considered and helped to refine the proposals in section 4 of this document between Phase 1 and Phase 2 and is being used in finalising the DCO application post Phase 2.</p> <p>The Applicant will be producing a Consultation Report for the DCO application, which will further evidence how the project has had regard to feedback</p>   |
| <b>4. Our Public Consultation Process</b> | We are undertaking an iterative consultation process for Frodsham Solar. The feedback and information we receive will help inform the design of the project that we submit to the Planning Inspectorate for approval.  | <p>The Applicant updated their dedicated Project website to communicate information and receive feedback during each phase of consultation.</p> <p>The Applicant's range of free-to-use communications lines remained open throughout each phase of consultation to provide information and receive feedback.</p> <p>Following the first phase of consultation, the Applicant produced a Phase One Consultation Summary Report, providing an overview of the feedback received during the first phase of consultation, setting out how the Applicant was considering the feedback.</p>   |
|   | The aim of our pre-application public consultation is to ensure that both community and technical consultees have a chance to understand and influence our proposal.   | <p>The Applicant held consultation with community and technical consultees in parallel under 47 of the 2008 Act as part of the Phase One Consultation, which ran from 01 June – 13 July 2023.</p> <p>A suite of consultation materials was published on 01 June 2023 to provide information on the topics referred to in the SoCC.</p> <p>This involved publishing:</p> <ul style="list-style-type: none"> <li>• a Community Consultation Leaflet;</li> <li>• a Community Consultation Postcard;</li> <li>• a Concept Plan;</li> <li>• event Displays; and</li> <li>• a Feedback Form to encourage responses.</li> </ul> <p>The Applicant published a PEIR and accompanying Non-Technical Summary on 07 November 2024, alongside a community consultation leaflet, to be consulted on as part of the statutory Section 42, 47 and 48 consultation with prescribed consultees and the community (Phase Two consultation), requesting responses by 19 December 2024 (providing a 43-day consultation response period).</p> |

| Section                        | Commitment  | Compliance  |
|--------------------------------|---|---|
|                                |   | At public information events, exhibition boards and project maps were displayed around the room and on tables, containing information on the project, containing technical and non-technical information.   |
|                                | Our consultation will consist of at least two phases: • A Phase One community consultation, lasting six weeks, which will be held from Thursday 1 June 2023 to Thursday 13 July 2023. • A Phase Two community consultation, which will also last longer than the statutory minimum of 28 days, planned for Winter 2023.   | Phase One Community Consultation ran from Thursday 01 June 2023 to Thursday 13 July 2023.<br><br>Phase Two consultation ran from Thursday 07 November 2024 to Thursday 19 December 2024 for a period of 43 days, therefore exceeding the statutory minimum of 28 days.  |
|                                | This SoCC applies to both phases of consultation.   | An addendum to the SoCC was published in October 2024, which set out the precise details of the upcoming Phase Two consultation, consistent with the principles established in the published SoCC.  |
|                                | At the start of Phase One consultation, we will also be submitting our EIA Scoping Report to the Planning Inspectorate (PINS), who will be running a 42-day consultation, in parallel with our Phase One consultation. PINS' consultation will involve technical stakeholders, local planning authorities and parish councils to gather feedback on the Applicant's proposals for how it intends to carry out its EIA, to form their Scoping Opinion.     | The Applicant submitted a Scoping Report to PINS on 30 May 2023. PINS then subsequently published a Scoping Opinion for Frodsham Solar on 10 July 2023.   |
|                                | Our free to use communication lines will remain open throughout the preapplication consultation period, so that engagement with stakeholders can continue outside of defined phases of consultation. The project website will also be kept updated with relevant project information and materials. This includes any changes to the project that may or may not require a formal targeted consultation period.   | The Applicant publicised their range of free-to-use communications channels ahead of their statutory Phase One consultation commencing on 25 May 2023.<br><br>These channels include a Freephone information line, Freepost address and email address. They have been open during both Phase One and Phase Two and will remain open from now until at least the end of the pre-application phase.<br><br>Between Phase One and Phase Two Consultation, the freepost address name was changed from FREEPOST FS PCR CONSULTATION to FREEPOST FRODSHAM SOLAR and this was made clear on the project website. |
|                                | During the pre-application phase we will share a high-level document summarising the responses we have received during the first phase of consultation. This document will be made publicly available on the project website and provided in hard copy by request. Key stakeholders, such as relevant local planning authorities and parish councils, and anyone who has registered to be kept informed will be notified of the document being published. | The Applicant published a Phase One Consultation Summary Report in August 2024, summarising the feedback received during the first phase of consultation, including an overview of how feedback was considered by the Applicant. Key stakeholders were notified of the publication of the documents, as well as those who had registered to be kept informed. The document was available to pick up at Community Access Points and by request.  |
| <b>5. Who Will We Consult?</b> | Our consultation process is open to anyone who may be interested in, or in any way feels impacted by, our proposals for Frodsham Solar.   | The Applicant accepted all feedback submitted in response to consultation.  |

| Section | Commitment   | Compliance   |
|---------|--|--|
|         | <p>Figure 3 shows a Consultation Zone, which centres on the proposed site and extends to nearby towns, villages and settlements considering existing infrastructure and boundaries. The zone comprises over 11,000 addresses.</p> <p>Properties within the Consultation Zone will directly receive a consultation postcard to notify them of upcoming consultation from us in the post.</p> <p>The core consultation zone comprises of over 11,000 addresses within the Cheshire West and Chester and Halton Borough authority areas, including every address within the parish of Frodsham.</p>       | <p>The Applicant issued a Community Consultation Postcard to all properties (over 11,000 addresses) within the defined Core Consultation Zone) to publicise and encourage responses to both the Phase One and Phase Two consultations.</p> <p>The Core Consultation Zone included every property within the parish of Frodsham.</p>  |
|         | <p>Information events will be held at locations within the Consultation Zone, and relevant organisations, such as parish councils and community groups, will be notified of consultation opportunities.</p>  | <p>During both the Phase One and Phase Two consultations, the Applicant hosted five in-person public information events at four locations within and across the defined Core Consultation Zone.</p> <p>Prior to each phase of consultation, the Applicant sent electronic notifications to parish councils and community groups, informing them of consultation opportunities.</p>   |
|         | <p>We recognise that there may be some interested individuals or parties who are not within the Consultation Zone. We are committed to ensuring that these interested parties still have an opportunity to view our proposals and have their say.</p> <p>We will publicise consultation opportunities to communities beyond the Consultation Zone by advertising in local media and maintaining a register of interested individuals.</p> <p>Informative consultation materials will be published online and available to view and either be collected or sent to parties via our contact details.</p> | <p>The Applicant maintained a register of prescribed and non-prescribed consultees, including a register of those who wished to be kept informed, and notified them at the commencements of each phase of consultation.</p> <p>Advertising was placed in the Chester Chronicle and the Chester Standard for both phases of consultation.</p> <p>Consultation materials were published online at the start of each phase of consultation, available to view via the Documents Library section of the website (<a href="http://www.frodshamsolar.co.uk">www.frodshamsolar.co.uk</a>), and a number of materials were available to be seen at Community Access Points. These were:</p> <ul style="list-style-type: none"> <li>• Copies of the Community Consultation Leaflet for reference and taking away.</li> <li>• Copies of the Feedback Form for reference and taking away.</li> <li>• A copy of the PEIR NTS for reference only <b>(Phase Two only)</b></li> </ul> |
|         | <p>As well as our two phases of community consultation, we will be engaging with a range of statutory and non-statutory consultees on Frodsham Solar throughout the consultation exercises and beyond, including:</p> <ul style="list-style-type: none"> <li>• Owners, tenants and occupiers of the land included within the DCO application.</li> <li>• MPs, Local Planning Authorities and Parish Councils.</li> <li>• Statutory stakeholders, such as Natural England, the Environment Agency and Historic England.</li> </ul>  | <p>The Applicant engaged with the stakeholders listed in the commitment. All stakeholders, except for statutory stakeholders, were sent electronic notifications on or before each consultation period.</p> <p>Statutory stakeholders were engaged via email and post on or before the start of Phase Two consultation under Section 42 and 48 of the Planning Act 2008.</p>   |

| Section                 | Commitment  | Compliance   |
|-------------------------|---|--|
|                         | <p>• Local interest, community and environmental groups</p> <p>We have developed our consultation with the intention of being accessible to all groups in the community. We recognise that some individuals or groups may have difficulties taking part in the consultation process for a range of reasons. We have identified a number of 'gateway organisations' representing potentially seldom heard groups in the consultation area. These organisations will be contacted ahead of both phases of consultation to ensure that our approach best meets the needs of their members.</p> | <p>The Applicant maintained a contact list of organisations representing community members and groups that may be seldom heard or less likely to take part in consultations. Comments and additions to an identified list were invited from host authorities as part of the SoCC development process. These organisations have been contacted throughout the pre-application process, including ahead of phases of consultation, to publicise opportunities to take part and invited suggestions for any further measures to increase accessibility.</p> <p>Public consultation materials, such as the Community Consultation Leaflet and Project website, clearly signposted to the Applicant's free-to-use communications channels. They also encouraged anyone who might require consultation materials in alternative formats to contact the team to request this.</p>   |
| 6. How Will We Consult? | <p>In-person information events will be held at locations within the Consultation Zone (see Figure 3). They will be advertised in consultation materials, across local media, and by issuing publicity materials to identified public venues (referred to as local information points). We have organised in-person information events across a range of days and times.</p> <p>A Webinar will be held for any member of the public to join via internet or telephone during Phase One consultation and will be considered at Phase Two.</p>  | <p>The Applicant undertook a six-week community consultation on preliminary proposals for the Project between 01 June 2023 and 13 July 2023.</p> <p>The Applicant held the following events, including an online webinar, during their Phase One consultation, held across a range of days and times:</p> <ul style="list-style-type: none"> <li>- Helsby Community Centre (Saturday 17 June 2023, 12pm - 4pm)</li> <li>- Christchurch Hall, Weston Point (Tuesday 20 June 2023, 11am - 3pm)</li> <li>- Frodsham Community Centre (Wednesday 21 June 2023, 2pm - 7pm)</li> <li>- Elton Community Centre (Thursday 22 June 2023, 11am - 4pm)</li> <li>- Frodsham Community Centre (Friday 23 June 2023, 2.30pm - 7pm)</li> <li>- Community Webinar – Zoom (Monday 26 June 2023, 5.30pm - 7pm)</li> </ul> <p>The Applicant held the following events during their Phase Two consultation, including an online webinar, across a range of locations, days and times:</p> <ul style="list-style-type: none"> <li>- Christchurch Hall (Monday 25 November 2024, 3pm - 7pm)</li> <li>- Helsby Community Centre (Tuesday 26 November 2024, 2pm – 6.30pm)</li> <li>- Elton Community Centre (Friday 29 November 2024, 3pm - 7pm)</li> <li>- Frodsham Community Centre (Saturday 30 November 2024, 1.30pm – 5.30pm)</li> <li>- Frodsham Community Centre (Monday 02 December 2024, 2.30pm – 6.30pm)</li> <li>- Community Webinar – Zoom (Wednesday 04 December 2024, 6pm – 7.30pm)</li> </ul> |

| Section | Commitment | Compliance   |
|---------|------------|--|
|         |            | <p>These event details were published on the Applicant's dedicated project website, the SoCC Addendum, the Community Consultation Leaflet and Postcard, and Section 47 and 48 notices published in local and national media, press release, and posters at local information points.</p> |



| Section | Commitment   | Compliance  |
|---------|--|---|
|         | <p>Members of the Frodsham Solar team will be at these events to answer questions and discuss the proposals in more detail.</p> <p>Project materials setting out the proposals (as they stand at each phase) will be displayed and available to take away.</p>   | <p>The events were attended by a range of relevant members of the Applicant's Project team.</p> <p>Attendees were able to take away copies of the Community Consultation Leaflet, Feedback Form, Concept Plan and Site Location Plan.</p> <p>The full PEIR and accompanying NTS was displayed and available to view. Exhibition boards and project maps were displayed around the room and on tables, containing information on the project, containing technical and non-technical information.</p>              |
|         | <p>Consultation postcards will be sent to properties within the Consultation Zone, to notify local residents and businesses of the proposal and consultation opportunities, including how to access the project website and communications channels and details of information events.</p>   | <p>The Applicant issued a Community Consultation Postcard to all properties (over 11,000 addresses) within the defined Core Consultation Zone) to publicise and encourage responses to both the Phase One and Phase Two consultations.</p> <p>The postcard contained information notifying local residents and businesses of the proposal and consultation opportunities, including how to access the project website, community access points and communications channels and details of information events.</p> |
|         | <p>Consultation leaflets will be produced and made available at the start of each phase of consultation. These leaflets will be available online, by collection from Community Access Points, and available to take away from our information events.</p>  | <p>The Applicant published a Community Consultation Leaflet at the start of each phase of consultation. They were available to view online via the project website, by collection from Community Access Points, and available to take away from in-person information events.</p>   |
|         | <p>Feedback forms will be made available for community members to respond to the consultation. This also includes those outside the Consultation Zone who wish to provide feedback. These will be available online and in hard copy at Community Access Points, information events, and by request. Feedback forms will be able to be returned</p> | <p>The Applicant published a feedback form at the start of each phase of consultation. They were available to view online via the project website, by collection from Community Access Points, and available to take away from in-person information events.</p>  |

| Section | Commitment  | Compliance   |
|---------|---|--|
|         | free of charge using the Frodsham Solar freepost address.   | An online version of the feedback form was created for each phase of consultation to enable respondents to fill out their feedback electronically.<br><br>Feedback forms could be returned free of charge using the Frodsham Solar freepost address.   |
|         | A dedicated project website (www.frodshamsolar.co.uk) is live and will host consultation materials. The website will be kept updated for stakeholders to find out more information and provide their feedback. Consultation material will be presented digitally, providing information consistent with that available at events and through hard copy materials. | The Applicant has kept the dedicated project website live throughout the pre-application period, updating the website at the start of each consultation period with information relevant to that consultation period.<br><br>All consultation materials has been able to review digitally via the website, and these materials were consistent with that available at events and through hard copy materials.  |
|         | Local press adverts will be placed in the Chester Chronicle and Chester Standard to inform local communities of phases of consultation. Adverts will include contact information and information event dates, times and locations. For Phase Two consultation, formal notices will also be placed in accordance with the requirements of the Planning Act 2008.   | Local press adverts were published for both phases of consultation:<br><br><b>Phase One Consultation</b> <ul style="list-style-type: none"> <li>Chester Chronicle and Chester Standard: 01 June 2023</li> </ul> <b>Phase Two Consultation</b> <ul style="list-style-type: none"> <li>Chester Chronicle and Chester Standard: 14 November 2024</li> </ul> As well as a Section 47 Notice placed ahead of Phase One consultation on 25 May 2023, the Applicant also placed formal notices for Phase Two consultation. They included:<br><br><b>Section 47 Notice</b> <ul style="list-style-type: none"> <li>Chester Chronicle and Chester Standard: 31 October 2024</li> </ul> <b>Section 48 Notice</b> <ul style="list-style-type: none"> <li>Chester Chronicle and Chester Standard: 31 October 2024 and 7 November 2024</li> <li>Guardian: 31 October 2024</li> <li>London Gazette: 05 November 2024</li> </ul> |
|         | Local information points such as village halls, places of worship, shops and civic buildings will be provided with posters containing consultation information for each phase of consultation.  | The Applicant issued display posters publicising consultation opportunities to identified public venues ahead of each phase of consultation. They include venues such as Frodsham Community Centre, Helsby Community Centre and Beechwood Community Centre in Runcorn, as well as Frodsham Leisure Centre.   |
|         | Parish councils will be provided with digital materials to enable them to advertise and promote the consultation via their own websites, social media and online community forums.  | The Applicant provided parish councils with digital materials, including the Community Consultation Leaflet, at the start of each phase of consultation to allow the organisations to promote the consultation. These parishes councils are: <ul style="list-style-type: none"> <li>Frodsham Town Council</li> <li>Helsby Parish Council</li> <li>Ince Parish Council</li> <li>Elton Parish Council</li> <li>Sutton Weaver Parish Council</li> <li>Alvanley Parish Council</li> </ul>  |

| Section                    | Commitment   | Compliance  |
|----------------------------|--|---|
|                            |  | <ul style="list-style-type: none"> <li>Dunham-on-the-Hill and Hapsford Parish Council</li> <li>Hale Parish Council</li> </ul>   |
|                            | We will be promoting our phases of consultation by engaging with local media outlets, including The Chester Chronicle and Chester Standard. This will promote the consultation to a wider audience and further ensure that interested individuals and parties have an opportunity to comment on our proposals. | A media release was sent to local media outlets at the start of each phase of consultation, promoting the consultation to a wider audience.   |
|                            | Should any changes to our consultation activities be required due to unforeseen events outside of our control, new details will be publicised in line with the methods set out in Section 6 of this SoCC.  | Following the delay for the Phase Two consultation for Frodsham Solar, the Applicant produced a SoCC Addendum, setting out the approach for Phase Two consultation, consistent with the principles set out in the SoCC. Both LPAs were invited to comment on this document on 15 October 2024.  |
| 7. Community Access Points | <p>Hard copies of this document and relevant Phase One and Phase Two consultation materials, will be available at the following locations:</p> <ul style="list-style-type: none"> <li>Frodsham Library</li> <li>Helsby Library</li> <li>Ellesmere Port Library</li> </ul>                                      | <p>The Community Access Points hosted hard copy consultation materials for both phases of consultation. They included:</p> <ul style="list-style-type: none"> <li>Copies of the Community Consultation Leaflet for reference and taking away.</li> <li>Copies of the Feedback Form for reference and taking away.</li> <li>A copy of the PEIR NTS for reference only <b>(Phase Two only)</b></li> </ul> <p>The Applicant ensured that all of these Community Access Points also hosted computers with internet access, should that support any interested individual to access the full PEIR.</p> |
|                            | USB and hard copies of all documents can be posted on request.   | All documents were able to be posted on request, and USBs could be requested. Printed copies were also available on request, with a reasonable charge of up to £500.  |

**Table 6: SoCC commitments and Applicant compliance specific to Phase Two consultation, as set out in the SoCC Addendum published in October 2024**

| Section                           | Commitment   | Compliance   |
|-----------------------------------|--|--|
| <b>Our Phase Two Consultation</b> | Our Phase Two consultation will take place over six weeks between Thursday 7 November and Thursday 19 December 2024.   | Our Phase Two consultation ran for six weeks between Thursday 7 November and Thursday 19 December 2024.  |
| <b>How will we consult?</b>       | The PEIR will be published and available to view online and at information events. A Non-Technical Summary (NTS) of the PEIR will be available to view at Community Access Points. | The PEIR was published on 7 November 2024 and available to view online and at information events. A Non-Technical Summary (NTS) of the PEIR was available to view at Community Access Points, as well as online and at information events. |

#### **4. CONSIDERATION OF FEEDBACK**

- 4.1. The Applicant recognises their duty to take account of responses to consultation and publicity, in accordance with Section 49 of the 2008 Act.
- 4.2. The Applicant is continuing to analyse and consider responses received as part of their statutory consultation exercises.
- 4.3. The Applicant is preparing a Consultation Report to be submitted as part of the DCO application. The Consultation Report will be in accordance with section 37(3)(c) of the 2008 Act.
- 4.4. In doing so, the Applicant's Consultation Report will demonstrate how consultation responses have been taken into account during the preparation of the application.
- 4.5. To build confidence in this process, the Applicant published a Phase One Consultation Summary Report in August 2024, following the Phase One statutory consultation undertaken from 01 June 2023 – 13 July 2023.
- 4.6. This report provided an overview of the feedback received and how the Applicant was considering this in the development of the Project.
- 4.7. A copy of the Applicant's Phase One Consultation Summary Report is provided as Appendix 1.
- 4.8. Changes arising in response to the Applicant's consideration of consultation feedback include, but are not limited to:
  - 4.8.1. Increasing the height of solar PV panels and Power Conversion Units within the areas of flood plain by 0.5m in response to EA consultation response.
  - 4.8.2. Addition of cycle use on selected permissive paths, enhanced signage and interpretation.
- 4.9. Consideration of how different user groups, including cyclists, could enjoy improved access across the 4.5km of proposed permissive paths across the site.
- 4.10. Introduction of additional measures such as signage, interpretation, seating, cycle parking to enhance user experience across the Site.

- 4.11. Increasing the height of the panels and PCUs in the eastern half of the Site so all areas of the solar farm would remain operational in the event of flooding.
- 4.12. Progressing a dynamic and wide-ranging community benefits package, focusing on Fuel Funding, Community Funding and Skills and Employment.
- 4.13. The Applicant notes that many consultation responses include concerns regarding the efficiency of solar technology, the need for solar generally and in this location, the scale and visual impact of the project, and the relationship between solar farms and potential environmental effects including ground conditions, flood risk and hydrology, and ecology.
- 4.14. While many of these issues cannot be responded to through Project design changes, the Applicant will be seeking to provide reassurance in response to this feedback by summarising and cross-referencing to relevant sections of their DCO application as well as relevant policy and evidence.

March 2025

**APPENDIX 1: CHESHIRE WEST AND CHESTER COUNCIL LETTER TO THE  
APPLICANT REGARDING THE DRAFT ADEQUACY OF CONSULTATION  
DOCUMENT – MARCH 2025**

██████████  
Development Manager  
Frodsham Solar

info@frodshamsolar.co.uk

## Development Management

Planning Service  
Cheshire West and Chester Council  
The Portal  
Wellington Road  
Ellesmere Port  
CH65 0BA

Tel: 07 ██████████

Our ref: 23/01780/SCO

Your ref: EN010153

Please ask for: P ██████████

Email: ██████████@cheshirewestandchester.gov.uk

Web: cheshirewestandchester.gov.uk

Date: 3<sup>rd</sup> March 2025

Dear ██████████

STATUTORY CONSULTATION UNDER SECTION 42 OF THE PLANNING ACT 2008  
PRE-APPLICATION PUBLICITY IN ACCORDANCE WITH SECTION 48 OF THE  
PLANNING ACT 2008 AND REGULATION 13 OF THE INFRASTRUCTURE PLANNING  
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

**Proposal: Solar energy generation station and associated on-site Battery Energy Storage System (BESS) ("Frodsham Solar") on land at Frodsham Marsh, Frodsham, Cheshire West and Chester**

**Applicant: Frodsham Solar Limited**

Thank you for your e-mail of 17 February 2025 and the accompanying Frodsham Solar Early Adequacy of Consultation Milestone (February 2025) document.

As a general point, Cheshire West and Chester Council acknowledge the positive and proactive approach taken by the Applicant to pre-application consultation. It has been helpful to have the Phase 1 non-statutory consultation, leading up to the Phase 2 statutory consultation; and it was also appropriate for the programme of statutory consultation period to extend beyond the minimum 28-day period, particularly given the volume of additional material associated with the Preliminary Environmental Information Report (Oct 2024) (PEIR) at this second stage. Indeed, even with the extended period, it has been



Cheshire West  
and Chester



challenging to provide the level of detailed response to the consultation that would be preferable (as indicated in CWCC's letter of 18 December 2024 in response to the Section 42 consultation and the PEIR).

With regard to Sections 42 (Duty to consult), 45 (Timetable for consultation), 47 (Duty to consult local community) and 48 (Duty to publicise) of the Planning Act 2008 it is considered that the Applicant has carried out adequate pre-application consultation in accordance with the statutory provision.

Given that this is EIA development, it is noted that in accordance with Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regs) the Applicant sought a screening opinion from the Secretary of State prior to formal consultation under Section 42 of the Planning Act.

The Applicant published the Statement of Community Consultation in May 2023 (as required by S47 of the Planning Act 2008 and Reg 12 of the EIA Regs). This followed consultation on a draft SoCC in April/May 2023, with comments on the draft SoCC from CWCC (letter of 5 May 2023), and the Applicant provided CWCC with a Statement of Community Consultation (SoCC): Cheshire West and Chester Council Feedback & Response (June 2023). It is noted that CWCC raised points relating to the lack of certain details relating to the project at this early stage of non-statutory consultation, and that this could hinder the quality of the consultation responses.

Whilst such details were not incorporated into the SoCC / Phase One consultation, the Phase 2 consultation with the PEIR provided more detail of the Project as it evolved through the design process, thereby providing consultees with more detail to comment on.

One aspect that has not been advanced during the pre-application stage is the provision of a draft of the Development Consent Order (e.g. in terms of identifying the extent/nature of non-planning consents that may be included, and any use of compulsory purchase powers).

**Phase One Community Consultation for Frodsham Solar** ran for seven weeks from 1<sup>st</sup> June to 13 July 2023.

An addendum to the SoCC was published in October 2024 prior to the Phase Two consultation.

**Phase Two Community Consultation for Frodsham Solar** (including the PEIR) ran for six weeks from 7th November to 19th December 2024.

The Applicant has continued to engage with non-statutory consultation with key stakeholder, as indicated by the focused design review sessions (Jan 2025) referred to at the end of Table 1 of the early AoCM report.

CWCC's case officer and the Applicant's representatives have held regular progress meetings throughout the pre-application consultation period.

Further comments on the Early Adequacy of Consultation Milestone (February 2025) document follow under each chapter heading:

## **Chapter 1 – Introduction and Overview**

In relation to para 1.10, generally CWCC have no concerns with regards the adequacy of consultation at this stage. The comments in this letter should be referenced.

CWCC have yet to see the details of consultation responses provided to the Applicant and cannot yet comment in terms of how the Applicant has had regard to the relevant responses to publicity and consultation as required by Section 49 of the Planning Act 2008. However, it does appear from the amendments made to date and other comments, that the Applicant is having due regard.

## **Chapter 2 - Pre-application consultation and engagement**

With regard to Table 1 in Chapter 2:

31 Oct 2024 - correction is needed regarding statement that *'Neither Cheshire West and Chester Council nor Halton Borough Council provided feedback on the approach set out within the SoCC addendum'* Cheshire West and Chester Council provided feedback by e-mail on 29<sup>th</sup> October 2024 to confirm: i) Comments in the CWCC letter of 5 May 2023 continued to apply; and to note the updated parliamentary constituencies (Weaver Vale constituency being replaced with new constituencies, and the south side of the Mersey now mainly being within Runcorn and Helsby constituency).

## **Chapter 3 Statement of Community Consultation – February 2025**

Para 3.17 – correction needed as per comments above i.e. CWCC provided comments by e-mail on 29<sup>th</sup> October 2024 recommending updating the parliamentary constituency details.

*Table 5: SoCC commitments and Applicant compliance, as set out in the SoCC published in May 2023*

CWACC made comments on the draft SoCC in the letter of 5 May 2023. It should be noted that Table 5 does not provide a detailed response to CWCC's comments. It may be simplest to just cross this with the *Statement of Community Consultation (SoCC): Cheshire West and Chester Council Feedback & Response (June 2023)* referred to above.

Column 1 of Table 5 jumps from 1. Introduction to 4. Our Public Consultation Process. Section 3 Frodsham Solar has been omitted. CWCC made comments on this section in the letter of 5 May 2023. It is not clear why Column 1 omits sections.

It would be useful to include in the Adequacy of Consultation Milestone a list of the consultees (statutory from Column 1 of Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regs), that were consulted, along with a list of the non-statutory consultees.

It would be useful to include/identify a specific response in the Adequacy of Consultation Milestone in relation to actions taken in respect of the e-mail from PINS 22 May 2024 relating to The Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 – Section 42 consultation, and the advice to review the transitional provisions in Reg 4 of the MP Regs 2024, together with the amendments to the APFP Regs, and consider whether any new or different consultation bodies should be included.

## **Chapter 4 Consideration of Feedback**

This section is relatively short, and it is acknowledged that the Applicant is still in the process of considering the responses received through consultation, and that a Consultation Report will be submitted as part of the DCO application.

It may help to expand Chapter 4 with a table of more of the key changes made to the Project as a result of the consultation; especially if there is limited time to publishing a Phase Two Consultation Summary Report (similar to the Phase One summary).

There is still some lack of clarity in terms of the relationship between the Frodsham Solar Project and Frodsham Windfarm and the requirements of the windfarm consent, in terms of how the DCO would interact with the consent, as both projects continue to operate.

More information on draft DCO control documents at an early stage would be welcome.

\*\*\*\*\*

One of my colleagues in Communities and Engagement is contacting the local councillors to confirm if there are any comments they would wish to make in relation to the consultation carried out, and I will let you know if there is any feedback to report.

I trust that these comments are of some assistance.

Yours sincerely

  
*Principal Planning Officer*

**APPENDIX 2: STATEMENT OF COMMUNITY CONSULTATION – MAY 2023**



# **Frodsham Solar**

## Statement of Community Consultation

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May 2023

## 1. Introduction

**We are proposing a new solar development situated north of Frodsham in Cheshire.**

The solar project will support the urgent need to decarbonise our electricity system by delivering sustainable, homegrown and low-cost energy to the region. The proposals could also enhance the local environment and biodiversity and provide benefits to local communities. The project is called Frodsham Solar.

This document, known as a Statement of Community Consultation (“SoCC”), has been prepared in accordance with Section 47(1) of the Planning Act 2008 and associated guidance<sup>1</sup> to explain how we intend to consult the local community.

The approach to consultation set out in this document has been consulted upon with Cheshire West and Chester Council and Halton Borough Council in accordance with Section 47(2) of the Planning Act 2008. We have had regard to the comments that they have made.

We recognise consultation to be a vital stage in the development of our proposals. We want to receive feedback and work with stakeholders to refine our proposals for Frodsham Solar. This will allow us to develop our plans responsibly and in a manner that supports local community interests.

This SoCC outlines how we will consult during the ‘pre-application stage’ before we submit our Development Consent Order (“DCO”) application for the project to the Planning Inspectorate. We will also be undertaking an Environmental Impact Assessment (EIA) on the proposals. There is more information on the DCO and EIA process in Sections 8 and 9 of this SoCC and on the Planning Inspectorate’s website<sup>2</sup>.

<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418009/150326\\_Pre-Application\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418009/150326_Pre-Application_Guidance.pdf)

<sup>2</sup><https://www.gov.uk/government/collections/national-infrastructure-planning-guidance>

## 2. About Us

**The applicant for this project will be Frodsham Solar Ltd., which is part of Peel Cubico Renewables.**

**Peel Cubico Renewables is a joint venture partnership between natural resources and energy business Peel NRE and global renewable energy company Cubico Sustainable Investments (Cubico).**

Peel NRE, part of Peel L&P, is at the heart of the nation’s activity around clean growth and the circular economy – helping the UK achieve net zero by 2050 and supporting regions in their actions to achieve climate emergency targets.

Peel NRE has a strong track record of engaging with local communities and is invested in the North West, with strong ties to its communities.

Cubico is one of the world’s largest privately-owned renewable energy companies.

Cubico has nearly 3 gigawatts (GW) of renewable energy projects installed across 12 countries in Europe, the Americas and Australia, with more than 3 GW in construction and development. It brings expertise in financing, route to market, construction and operation.

Our mission is to accelerate change to combat the climate crisis.

Peel Cubico Renewables is dedicated to leading the UK’s renewable energy generation, supporting national net zero carbon targets.





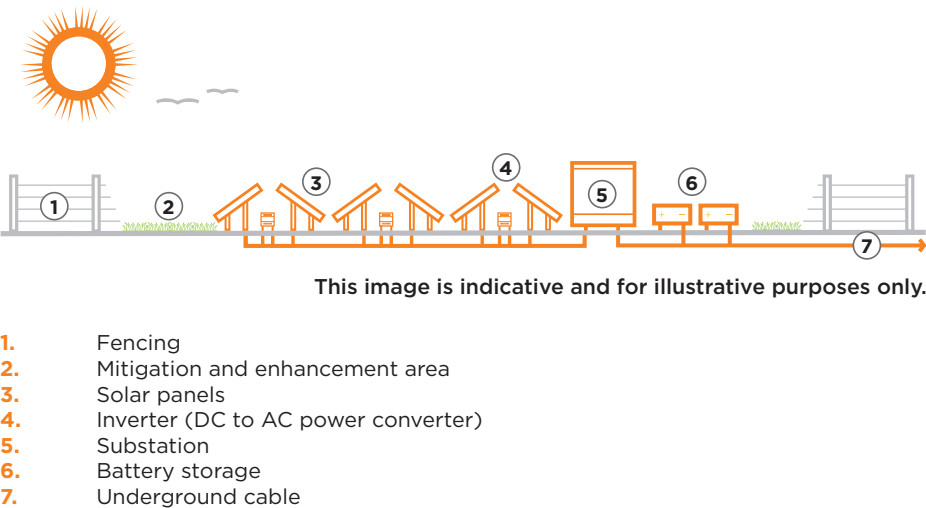
### 3. Frodsham Solar

The proposals for Frodsham Solar include:

- A ground-mounted solar array (solar panels).
- An anticipated potential output from the solar array of over 50 MW.
- Built infrastructure such as substations, transformers and inverters.
- Electrical connection infrastructure into the existing Frodsham Substation, adjacent to the River Weaver, and to local industrial installations.
- An on-site battery energy storage system (BESS).
- Landscape and ecological Mitigation and enhancement measures, including consideration of new permissive paths during the lifetime of the scheme.
- Other ancillary works including access, fencing, and drainage.

The current proposed site boundary is presented as Figure 2 (on page 6) - this may be refined as the project develops. The proposal is situated on land to the north of the M56, including an area of land beneath the eastern cluster of turbines of Frodsham Wind Farm.

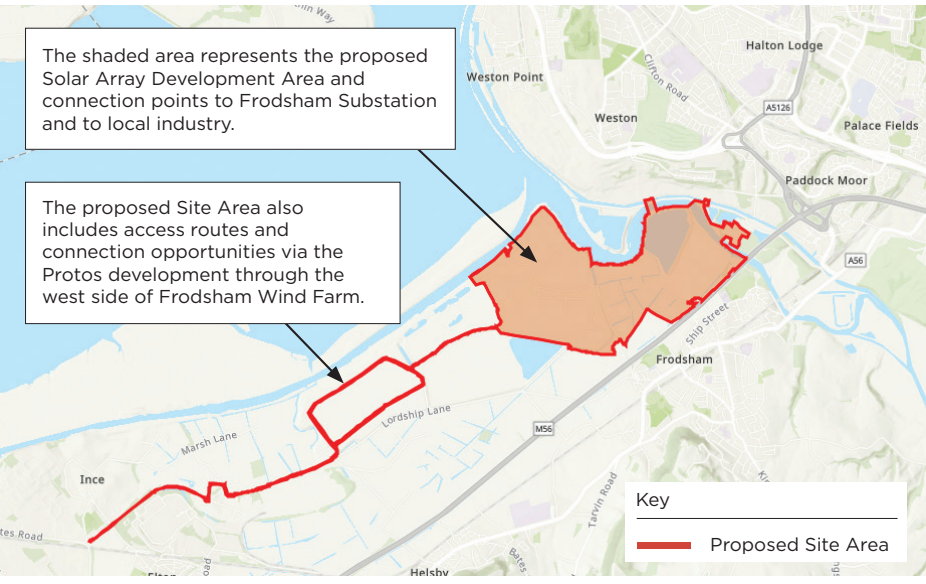
Figure 1: Components of a typical solar project



Frodsham Solar has the potential to:

- Export approximately 100 megawatts (MW) of clean electricity to SP Energy Networks, who are responsible for distributing electricity across Cheshire and Merseyside. For context, 100 MW is equivalent to powering approximately 34,000<sup>3</sup> homes.
- Export electricity directly to local industry, in addition to the regional network.
- Bolster UK energy security with the use of a battery energy storage system (BESS) to store electricity and discharge when it is needed.
- Support regional ambitions and commitments, such as the Net Zero North West Industrial Cluster and Invest Net Zero Cheshire.
- Support the Government's vision for the delivery of low-carbon infrastructure to support industrial decarbonisation by 2030 and contribute to the Government's commitment to ensure the UK is net zero by 2050.
- Showcase the level of innovation locally, as seen within the Cheshire Science Corridor Enterprise Zone.

Figure 2: Proposed Site Boundary



<sup>3</sup>Based on Ofgem's estimation that the typical household in Britain uses 2,900 kWh of electricity.



## 4. Our Public Consultation Process

We are undertaking an iterative consultation process for Frodsham Solar. The feedback and information we receive will help inform the design of the project that we submit to the Planning Inspectorate for approval.

Any feedback on our methods of consultation is encouraged and will be considered by our team. Comments on our community consultation are best provided to us for consideration in the first instance, so that they can be addressed when designing future consultation activities. When we submit our DCO application, Local Planning Authorities will be invited to provide an Adequacy of Consultation Representation.

### What will we consult on?

The aim of our pre-application public consultation is to ensure that both community and technical consultees have a chance to understand and influence our proposal. We will seek feedback to help develop our proposal. This will include potential issues such as, but not limited to:

- Temporary impacts during construction, such as traffic and noise.
- Operational impacts, such as upon wildlife, landscape, and views.
- Benefits, such as the opportunity for biodiversity and recreational improvements.

Details to inform responses on these topic areas – such as visual plans, descriptions of design parameters, and proposed mitigation measures – will be presented through the materials and activities described in Section 6.

Our consultation will consist of at least two phases:

- A Phase One community consultation, lasting six weeks, which will be held from Thursday 1 June 2023 to Thursday 13 July 2023.
- A Phase Two community consultation, which will also last longer than the statutory minimum of 28 days, planned for Winter 2023.

This SoCC applies to both phases of consultation.

### Phase One consultation

(Thursday 1 June 2023 to Thursday 13 July 2023)

This consultation will introduce our early-stage proposals for Frodsham Solar to the community. We are looking to receive feedback on our concept plan and input based on the community's knowledge of the local area, allowing us to refine our proposals.

The feedback received, together with information from our environmental and technical surveys and discussions with technical stakeholders, will further inform the development of our design.

At the start of Phase One consultation, we will also be submitting our EIA Scoping Report to the Planning Inspectorate (PINS), who will be running a 42-day consultation, in parallel with our Phase One consultation. PINS' consultation will involve technical stakeholders, local planning authorities and parish councils to gather feedback on the Applicant's proposals for how it intends to carry out its EIA, to form their Scoping Opinion. This is further outlined in Section 9 of this SoCC.

### Phase Two consultation

(anticipated to be Winter 2023)

This statutory consultation will allow us to update the local community and stakeholders on our proposal for Frodsham Solar, as well as those land interests we have identified through the land referencing process. We will consult on our more developed proposals together with the results from the ongoing environmental and technical surveys that have been carried out to date, which will be published in our Preliminary Environmental Information Report ("PEIR").

More specific details of Phase Two consultation will be publicised through the appropriate channels listed in Section 6. We will consider feedback we receive from Phase One consultation on the consultation process when designing our Phase Two consultation.

### Ongoing engagement

Our free to use communication lines will remain open throughout the pre-application consultation period, so that engagement with stakeholders can continue outside of defined phases of consultation. The project website will also be kept updated with relevant project information and materials. This includes any changes to the project that may or may not require a formal targeted consultation period. We will discuss the details of any further consultations that may be needed with the Local Planning Authorities.

During the pre-application phase we will share a high-level document summarising the responses we have received during the first phase of consultation. This document will be made publicly available on the project website and provided in hard copy by request. Key stakeholders, such as relevant local planning authorities and parish councils, and anyone who has registered to be kept informed will be notified of the document being published.

### Consultation reporting

As part of the DCO application to be submitted to the Planning Inspectorate, planned for Spring 2024, we will publish a Consultation Report that:

- Describes our consultation process, as well as the ongoing engagement with stakeholders and land interests that will take place throughout the pre-application process.
- Explains how we have adhered to legal requirements.
- Details how we have worked with Local Planning Authorities to ensure our consultation is suitable for the area through the proposals set out in this SoCC.
- Details the feedback and consultation responses we have received.
- Responds to the feedback we have received, including explaining how we have had regard to feedback and how it has influenced our proposals.

### Examination

Additionally, anybody can formally comment on our proposals for Frodsham Solar when the DCO application is submitted to the Planning Inspectorate. The Planning Inspectorate will invite the public's views on the proposal and those who wish to will be able to register and submit their views for consideration during the examination. Guidance on the process can be found on the Planning Inspectorate's website at:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice>

### General Data Protection Regulation (GDPR)

Throughout the pre-application consultation period, all stakeholder personal details will be stored in compliance with the GDPR by Counter Context, acting on behalf of the Frodsham Solar project team, and will not be shared with any third parties.

## 5. Who Will We Consult?

**Our consultation process is open to anyone who may be interested in, or in any way feels impacted by, our proposals for Frodsham Solar.**

We are seeking to actively engage with the widest possible range of individuals and groups. We want our consultation to be accessible for everyone to respond, regardless of their personal circumstances.

### The local community

**Figure 3 shows a Consultation Zone**, which centres on the proposed site and extends to nearby towns, villages and settlements considering existing infrastructure and boundaries. The zone comprises over 11,000 addresses. Properties within the Consultation Zone will directly receive a consultation postcard (set out in Section 6) to notify them of upcoming consultation from us in the post. Information events will be held at locations within the Consultation Zone, and relevant organisations, such as parish councils and community groups, will be notified of consultation opportunities.

### Other interested stakeholders

We recognise that there may be some interested individuals or parties who are not within the Consultation Zone. We are committed to ensuring that these interested parties still have an opportunity to view our proposals and have their say. We will publicise consultation opportunities to communities beyond the Consultation Zone by advertising in local media (as described in Section 6) and maintaining a register of interested individuals. Informative consultation materials will be published online and available to view and either be collected or sent to parties via our contact details, as explained in Section 6.

As well as our two phases of community consultation, we will be engaging with a range of statutory and non-statutory consultees on Frodsham Solar throughout the consultation exercises and beyond, including:

- Owners, tenants and occupiers of the land included within the DCO application.
- MPs, Local Planning Authorities and Parish Councils.
- Statutory stakeholders, such as Natural England, the Environment Agency and Historic England.
- Local interest, community and environmental groups

Town and Parish Councils within the Consultation Zone who we will engage with include:

- Frodsham Town Council
  - Helsby Parish Council
  - Ince Parish Council
  - Elton Parish Council
  - Sutton Weaver Parish Council
- Alvanley Parish Council
  - Dunham-on-the-Hill and Hapsford Parish Council
  - Hale Parish Council

Seldom Heard groups

We have developed our consultation with the intention of being accessible to all groups in the community. We recognise that some individuals or groups may have difficulties taking part in the consultation process for a range of reasons. We have identified a number of ‘gateway organisations’ representing potentially seldom heard groups in the consultation area. These organisations will be contacted ahead of both phases of consultation to ensure that our approach best meets the needs of their members. These identified groups are listed in Table 1.

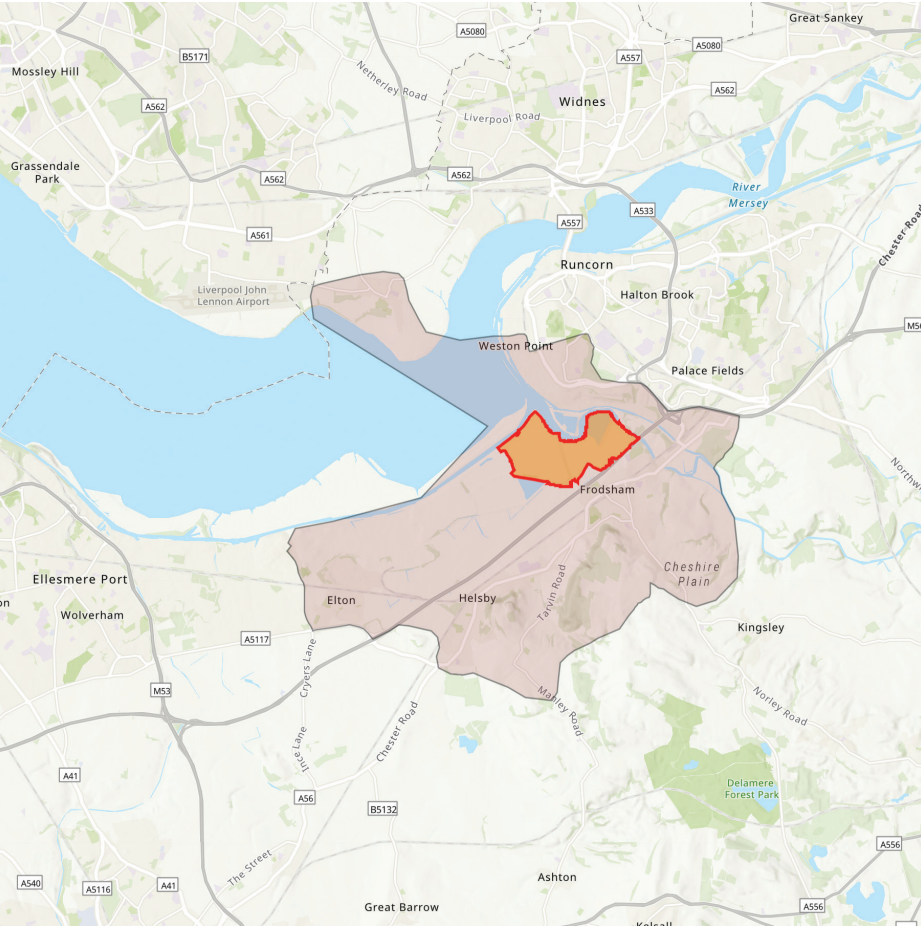
Ongoing engagement

Anyone is welcome to get in touch with us at any point between now and the submission of our application. Our contact details are listed in Section 11 of this SoCC and will remain open throughout the pre-application phase. Through these channels you will be able to speak to a member of our consultation team to ask questions and provide feedback.

Table 1: Gateway organisations representing potentially seldom heard groups

- Cheshire Community Action
  - Age UK Cheshire
  - Age UK Mid Mersey
  - Cheshire Change Hub
  - Frodsham WI
  - MIND Halton
  - Bee Friends Frodsham
  - Cheshire, Halton and Warrington Race & Equality Centre
  - Cheshire West Communities Together
  - The Traveller Movement
  - Friends, Families and Travellers
  - Leonard Cheshire
  - Scouts Cheshire
  - Frodsham Primary Academy School
- Frodsham Manor House Primary School
  - Frodsham CE Primary School
  - British Deaf Association
  - Healthbox
  - Healthwatch Halton
  - Healthwatch Cheshire West
  - iMap Centre
  - Deafness Support Network
  - Making Space
  - The Port Men in Sheds
  - Cheshire Autism Practical Support
  - Halton and St Helens Voluntary and Community Action
  - Halton Speak Out (Brookvale Community Centre)
  - Vibe UK
  - Halton Youth Cabinet
  - Elton Primary School and Nursery

Figure 3: Frodsham Solar Consultation Zone



Comprises of over 11,000 addresses within the Cheshire West and Chester and Halton Borough authority areas, including every address within the parish of Frodsham.

## 6. How Will We Consult?

The consultation activities described in this section of the SoCC ensure **inclusive, meaningful and open consultation**. The activities include a range of methods to ensure our consultation can be accessed by all members of the community.

Our Phase One consultation, planned to take place between Thursday 1 June 2023 and Thursday 13 July 2023, and our Phase Two consultation, planned to take place in Winter 2023, will be carried out in the following ways:

### Meetings and events

**In-person information events** will be held at locations within the Consultation Zone (see Figure 3). They will be advertised in consultation materials, across local media, and by issuing publicity materials to identified public venues (referred to as local information points). We have organised in-person information events across a range of days and times.

| Location  | Date & Time                             |
|---|---|
| <b>Helsby Community Centre</b><br>Lower Robin Hood Lane, Frodsham,<br>WA6 0BW | <b>Saturday 17th June</b><br>12pm – 4pm |
| <b>Christchurch Hall</b><br>Sandy Lane, Weston Point, Runcorn,<br>WA7 4EU     | <b>Tuesday 20th June</b><br>3pm – 7pm   |
| <b>Frodsham Community Centre</b><br>Fluin Ln, Frodsham,<br>WA6 7QN            | <b>Wednesday 21st June</b><br>2pm – 7pm |
| <b>Elton Community Centre</b><br>School Lane, Elton, Chester,<br>CH2 4PU      | <b>Thursday 22nd June</b><br>11am – 4pm |
| <b>Frodsham Community Centre</b><br>Fluin Lane, Frodsham,<br>WA6 7QN          | <b>Friday 23rd June</b><br>2.30pm – 7pm |
| <b>Online Community Webinar</b><br>Zoom                                       | <b>Monday 26th June</b><br>5.30pm – 7pm |

Members of the Frodsham Solar team will be at these events to answer questions and discuss the proposals in more detail. Project materials setting out the proposals (as they stand at each phase) will be displayed and available to take away.

**A Webinar** will be held for any member of the public to join via internet or telephone during Phase One consultation and will be considered at Phase Two. Participants will be invited to submit questions. Members of the Frodsham Solar project team will respond to the questions put forward during the webinar whilst the webinar is carried out. A recording of the webinar presentation will be made available on the project website.

**Meetings and briefing sessions** may be arranged with local parish councils, elected members and key local stakeholder groups during and in-between the two phases of community consultation.

### Literature

**Consultation postcards** will be sent to properties within the Consultation Zone, to notify local residents and businesses of the proposal and consultation opportunities, including how to access the project website and communications channels and details of information events.

**Consultation leaflets** will be produced and made available at the start of each phase of consultation. These leaflets will be available online, by collection from Community Access Points, and available to take away from our information events.

These leaflets will publicise the Phase One and Phase Two consultation opportunities and summarise the information being consulted on. This will include the details of the consultation period and the activities being undertaken, such as dates, times and locations of information events.

**Feedback forms** will be made available for community members to respond to the consultation. This also includes those outside the Consultation Zone who wish to provide feedback. These will be available online and in hard copy at Community Access Points, information events, and by request. Feedback forms will be able to be returned free of charge using the Frodsham Solar FREEPOST address (**FREEPOST FS PCR CONSULTATION**).



Communication Channels

As well as through the feedback form, written feedback can be made to the following project communication channels during consultation periods:

Email: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)

Freepost Address: FREEPOST FS PCR CONSULTATION

During consultation periods, questions and requests for more information can be made to the communication channels above, as well as through calling the project’s freephone information line on 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours).

Our project website and online information

A dedicated project website ([www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)) is live and will host consultation materials. The website will be kept updated for stakeholders to find out more information and provide their feedback.

Consultation material will be presented digitally, providing information consistent with that available at events and through hard copy materials.

Advertising and local notices

- Local press adverts will be placed in the Chester Chronicle and Chester Standard to inform local communities of phases of consultation. Adverts will include contact information and information event dates, times and locations. For Phase Two consultation, formal notices will also be placed in accordance with the requirements of the Planning Act 2008.
- Local information points such as village halls, places of worship, shops and civic buildings will be provided with posters containing consultation information for each phase of consultation.

Parish councils will be provided with digital materials to enable them to advertise and promote the consultation via their own websites, social media and online community forums.

Local media engagement

We will be promoting our phases of consultation by engaging with local media outlets, including The Chester Chronicle and Chester Standard. This will promote the consultation to a wider audience and further ensure that interested individuals and parties have an opportunity to comment on our proposals.

Should any changes to our consultation activities be required due to unforeseen events outside of our control, new details will be publicised in line with the methods set out in Section 6 of this SoCC.

7. Community Access Points

Hard copies of this document and relevant Phase One and Phase Two consultation materials, will be available at the following locations:

| Location   | Date & Time  |
|--|--|
| Frodsham Library<br>Princeway, Frodsham,<br>WA6 6RX              | Mon – Fri: 9am – 6pm<br>Sat: 9:30am – 1pm  |
| Helsby Library<br>Lower Robin Hood Lane, Helsby,<br>WA6 0BW      | Mon and Fri: 9.30am – 5pm<br>Tues and Weds: 9.30am – 7pm<br>Saturday: 9.30am - 1pm |
| Ellesmere Port Library<br>Civic Way, Ellesmere Port,<br>CH65 0BG | Mon, Thurs and Fri: 9am – 7pm<br>Tues and Weds: 9am – 5pm<br>Sat: 9am – 1pm        |

Due to varying reasons, some public buildings may be accessible by appointment only, or opening times may vary. Please check with venues for up-to-date information.

All documents are available on our project website ([www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)) or USB and hard copies can be posted on request (fees may apply).

## 8. The Planning Process

**Frodsham Solar is classified as a Nationally Significant Infrastructure Project (“NSIP”) as it has a proposed generating capacity of over 50 MW. As an NSIP we must apply for a DCO.**

The DCO application will be dealt with by the Planning Inspectorate, the agency responsible for managing the examination process for NSIPs. If accepted, it will then be examined by an independent Examining Authority, who will make a recommendation to the Secretary of State (“SoS”). The SoS will then review this before deciding whether to grant a DCO.

For more information on this process, or for advice on how to respond to our pre-application consultation, stakeholders can view the Planning Inspectorate’s Advice Note 8 at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-8.0.pdf>

### Pre-application

Frodsham Solar must consult with the community and statutory consultees (such as the host Local Planning Authorities) in compliance with the Planning Act 2008. To demonstrate this to the Planning Inspectorate, we will submit a Consultation Report alongside the DCO application, containing details of our method for consulting, the feedback submitted in response to the consultation, and how this has influenced our proposals.



### Acceptance

The Planning Inspectorate, on behalf of the Secretary of State, has 28 days to decide whether the application meets the required standards to proceed to examination, including whether our consultation has been adequate.



### Pre-Examination

Stakeholders and the public will be notified that the application has been accepted and will be invited by the project to register as an interested party and will be kept informed of progress and opportunities to put their case forward. Inspectors will hold a preliminary meeting and set the timetable for examination.



### Examination

Stakeholders and the public can send their comments in writing and can request to speak at a public hearing. The Planning Inspectorate has six months to carry out the examination.



### Decision

A recommendation to the Secretary of State will be issued by the Examining Authority within three months. The Secretary of State then has a further three months to issue a decision on the proposal.



### Post-decision

Once a decision has been issued by the Secretary of State, there is a six-week period for legal challenge on the decision.

## 9. Environmental Information

We will undertake an Environmental Impact Assessment (“EIA”) for Frodsham Solar. The scope and methodology for this assessment will be informed by feedback from relevant regulatory and environmental bodies.

A Scoping Report and PEIR (explained below) will be consulted on as part of the EIA process and as the DCO application is prepared.

We intend to coordinate the timing of community consultation phases to align with the publication of the Scoping Report and the PEIR. This will allow community members to consider and provide feedback to us directly on relevant EIA information in parallel to statutory consultees. All comments will be considered.

| Scoping Report   |
|--|
| <p>Our Scoping Report is planned to be published in parallel with the Phase One consultation and will outline the processes we will undertake to assess any potential impacts to the existing environment.</p> <p>Feedback on this from statutory consultees, such as Local Planning Authorities, will be provided in a Scoping Opinion, which will be published by the Planning Inspectorate.</p> <p>Both of these documents will be available to view on the Planning Inspectorate’s website.</p>  |
| Preliminary Environmental Information Report (“PEIR”)  |
| <p>The PEIR will build upon the findings from the scoping documents and the feedback received through the Phase One consultation and engagement with stakeholders.</p> <p>It will incorporate findings of the surveys and preliminary environmental assessments that have been carried out to date, including assessing cumulative impacts. This will enable consultees to develop an informed view of the likely potential impacts that Frodsham Solar may have on the local environment. In our Phase Two consultation, we will seek feedback on the findings of the PEIR.</p> |
| Environmental Statement (“ES”)   |
| <p>The ES will advance the content of the PEIR and continue to incorporate the responses from the Phase Two consultation, stakeholder engagement and results of the surveys undertaken. It will also describe any changes to the project and any mitigation measures that need to be implemented.</p> <p>The ES will form part of the DCO application for submission.</p>  |

## 10. Indicative Consultation Timeline

|  |  |
|--|--|
| <b>Early Summer 2023:</b> Publication of Statement of Community Consultation.    | <b>Early Summer 2023:</b> Public communication of proposals and opening of communications channels.                            |
| <b>Summer 2023:</b> Phase One consultation on initial proposals.                 | <b>Summer 2023:</b> EIA Scoping Report and Opinion.  |
| <b>Autumn 2023:</b> Feedback analysis, interim reporting and ongoing engagement. | <b>Winter 2023:</b> Phase two consultation on more detailed proposals and Preliminary Environmental Information Report (PEIR). |
| <b>Spring 2024:</b> DCO Application & PINS Acceptance decision.                  |  |
|  | <b>Summer 2024:</b> Spring 2025: PINS Examination.   |
| <b>Autumn 2025:</b> Secretary of State Decision.                                 |  |
|  | <b>2026:</b> Construction  |
| <b>2028:</b> Frodsham Solar becomes operational.                                 | <b>All future dates are indicative and subject to change.</b>  |



## 11. Contact Us

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Please don't hesitate to get in touch if you would like to find out more information about Frodsham Solar using any of the methods below.



Email: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)



Freephone information line: 0808 175 4004



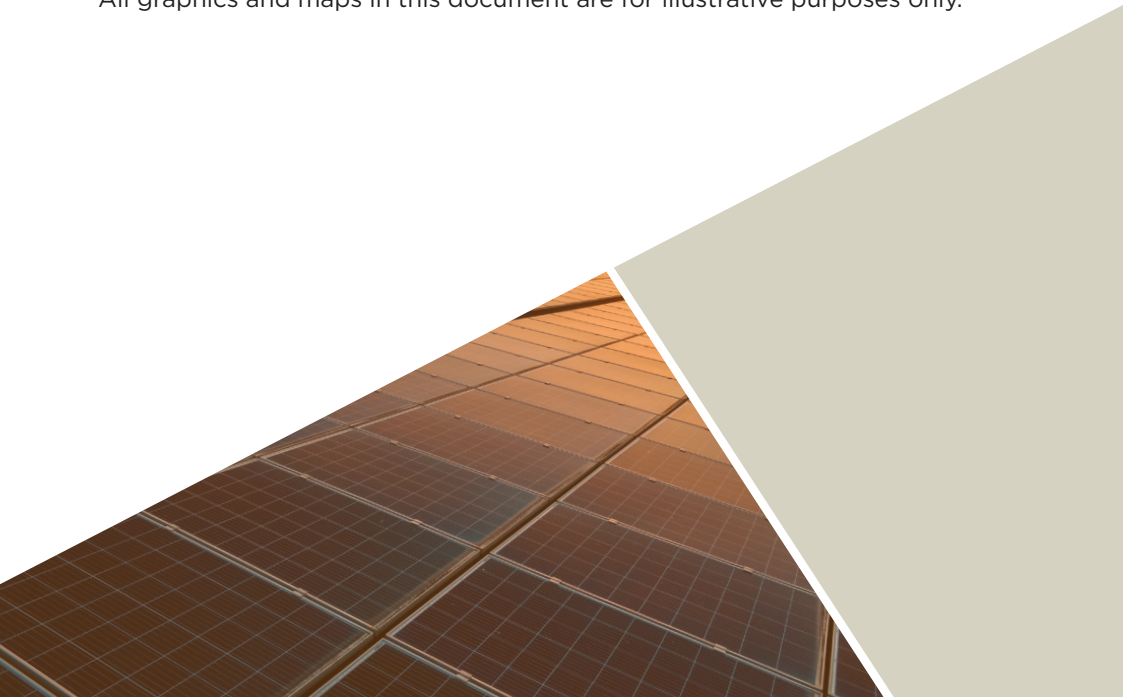
Freepost: FS PCR CONSULTATION



Website: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)

Should anybody require any documents in an alternative format, such as translated language, large print, audio or braille, then please contact us at the details provided.

All graphics and maps in this document are for illustrative purposes only.



**APPENDIX 3: STATEMENT OF COMMUNITY CONSULTATION ADDENDUM –  
OCTOBER 2024**

## Frodsham Solar: Addendum to Statement of Community Consultation

### Introduction

On 25 May 2023, Frodsham Solar Ltd. published a Statement of Community Consultation (SoCC) for Frodsham Solar. This document remains available to view and download from the project website: [www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk).

The published SoCC describes how consultation will be undertaken during the 'pre-application stage, prior to the submission of a Development Consent Order ("DCO") application for the project.

The approach to consultation set out in this document was consulted upon with Cheshire West and Chester Council and Halton Borough Council in accordance with Section 47(2) of the Planning Act 2008.

The SoCC sets out an iterative approach to pre-application consultation, comprising:

- A Phase One consultation introducing early-stage proposals for Frodsham Solar and inviting feedback on a concept plan. This first phase of consultation was undertaken between 1 June 2023 and 13 July 2023 consistent with the details set out in the SoCC.
- A Phase Two consultation on more developed proposals for Frodsham Solar together with the results from environmental and technical surveys. The indicative timeline presented in the SoCC had anticipated this phase of consultation to take place in Winter 2023. However, various factors in developing the proposals following the close of Phase One consultation meant an appropriate level of detail was not available to consult upon in Winter 2023.

Instead, Phase Two consultation will be undertaken between **7 November 2024 and 19 December 2024**.

This addendum sets out the details of the upcoming Phase Two consultation, consistent with the principles established in the published SoCC.

## The Applicant

The applicant for this project will be Frodsham Solar Ltd., which was introduced last year as part of a joint venture known as Peel Cubico Renewables.

In January 2024, Cubico Sustainable Investments (Cubico) acquired Peel NRE's 50% stake in Peel Cubico Renewables Ltd. This includes the joint venture's solar development pipeline, meaning that Frodsham Solar is now a Cubico only project and Frodsham Solar Ltd. is wholly owned by Cubico.

The acquisition also includes the transfer of the North-West based Peel NRE renewables development team into the Cubico business, ensuring that those that know and have the experience of developing renewable energy in this area remain on the project.

It represents a significant step in Cubico's aspiration to establish itself as a prominent developer, owner, and operator of renewable energy assets within the country, aligning with the UK's pursuit of its own ambitious net zero targets.

## The Project

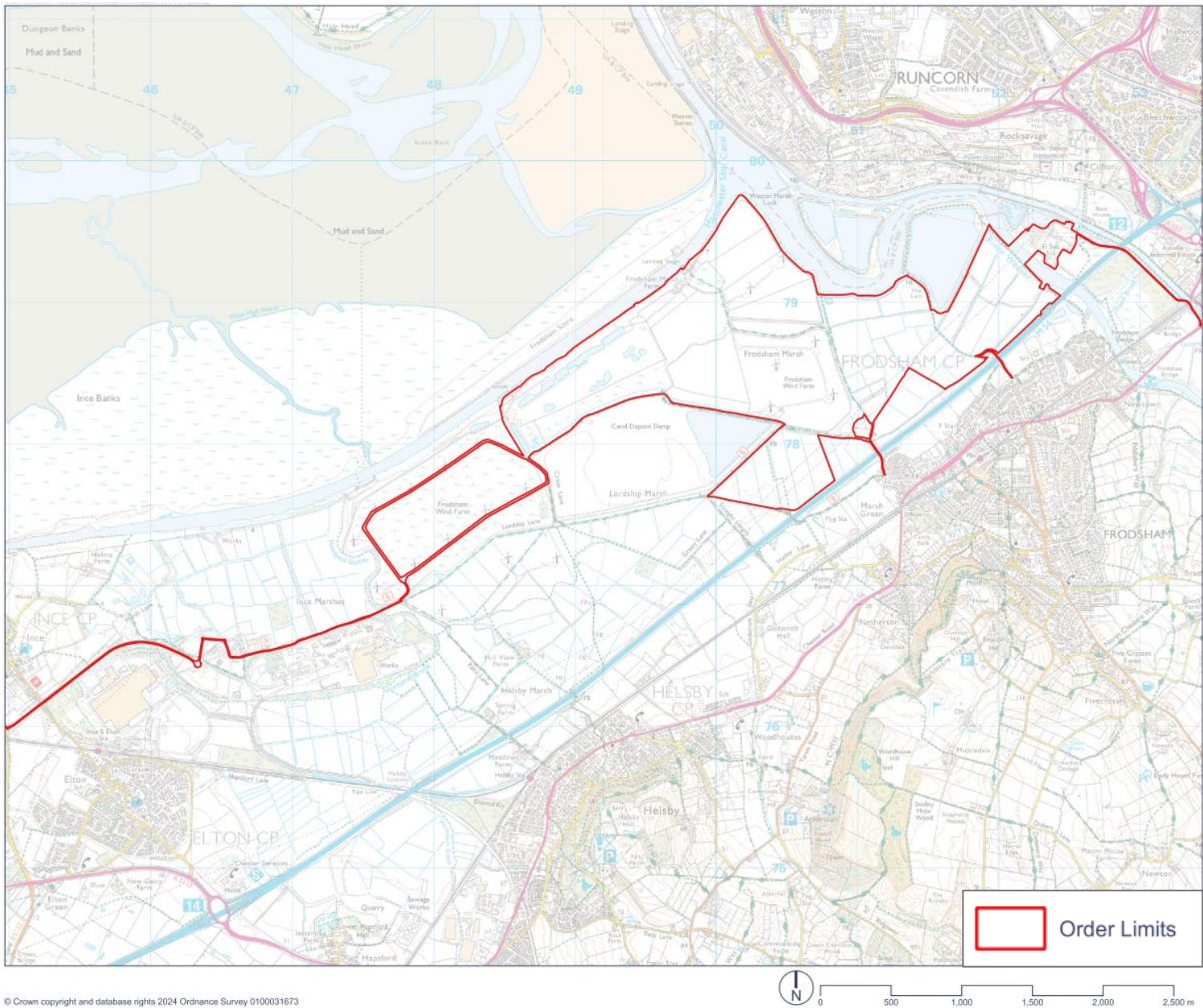
The proposal for Frodsham Solar remains consistent with Section 3 of the SoCC.

The proposal is situated on land to the north of the M56, including an area of land beneath the eastern cluster of turbines of Frodsham Wind Farm, and includes:

- A ground-mounted solar array (solar panels).
- An anticipated potential output from the solar array of over 50 MW.
- Built infrastructure such as substations, transformers and inverters.
- Electrical connection infrastructure into the existing Frodsham Substation, adjacent to the River Weaver, and to local industrial installations.
- An on-site battery energy storage system (BESS).
- Landscape and ecological Mitigation and enhancement measures, including consideration of new permissive paths during the lifetime of the scheme.
- Other ancillary works including access, fencing, and drainage

The proposed site boundary has evolved since the publication of the SoCC, in response to further assessment, feedback received and ongoing design development. The updated proposed site boundary is presented as Figure 1 overleaf.

Figure 1: Proposed Site Boundary





## **Our Phase Two Consultation**

Our Phase Two consultation will take place over six weeks between Thursday 7 November and Thursday 19 December 2024.

This section includes details of our upcoming Phase Two consultation and explains how this will be undertaken consistently with the principles and commitments set out in the published SoCC.

### **Our public consultation process**

As described in Section 4 of the SoCC, our Phase Two consultation will allow us to update the local community and stakeholders on our proposal for Frodsham Solar. Consultation will be undertaken in parallel with the local community, land interests we have identified through the land referencing process, and technical and prescribed consultees.

We will consult on our more developed proposals together with the results from the ongoing environmental and technical surveys that have been carried out to date, which will be published in a Preliminary Environmental Information Report (“PEIR”).

Our Phase Two consultation will build on our Phase One consultation to seek feedback on potential issues such as, but not limited to management and mitigation of temporary impacts during construction, operational impacts, our environmental masterplan proposals and benefits.

Details to inform responses on these topic areas – such as visual plans, descriptions of design parameters and principles, and proposed mitigation measures – will be presented through consultation materials including the Preliminary Environmental Information Report (PEIR) and a Community Consultation Leaflet.

Our Phase Two consultation will be held over a six week period, consistent with the commitment in the SoCC to exceed the statutory minimum of 28 days.

### **Who Will We Consult?**

As described in Section 5 of the SoCC, our Phase Two consultation is open to anyone who may be interested in, or in any way feels impacted by, our proposal for Frodsham Solar.

We will proactively notify the local community in writing of our Phase Two consultation and their opportunities to take part. This will be done by issuing a consultation postcard to all properties within the Consultation Zone pictured as Figure 3 in the published SoCC, and as Figure 2 below. This comprises over 11,000 addresses within the Cheshire West and Chester and Halton Borough authority areas, including every address within the civil parish of Frodsham.

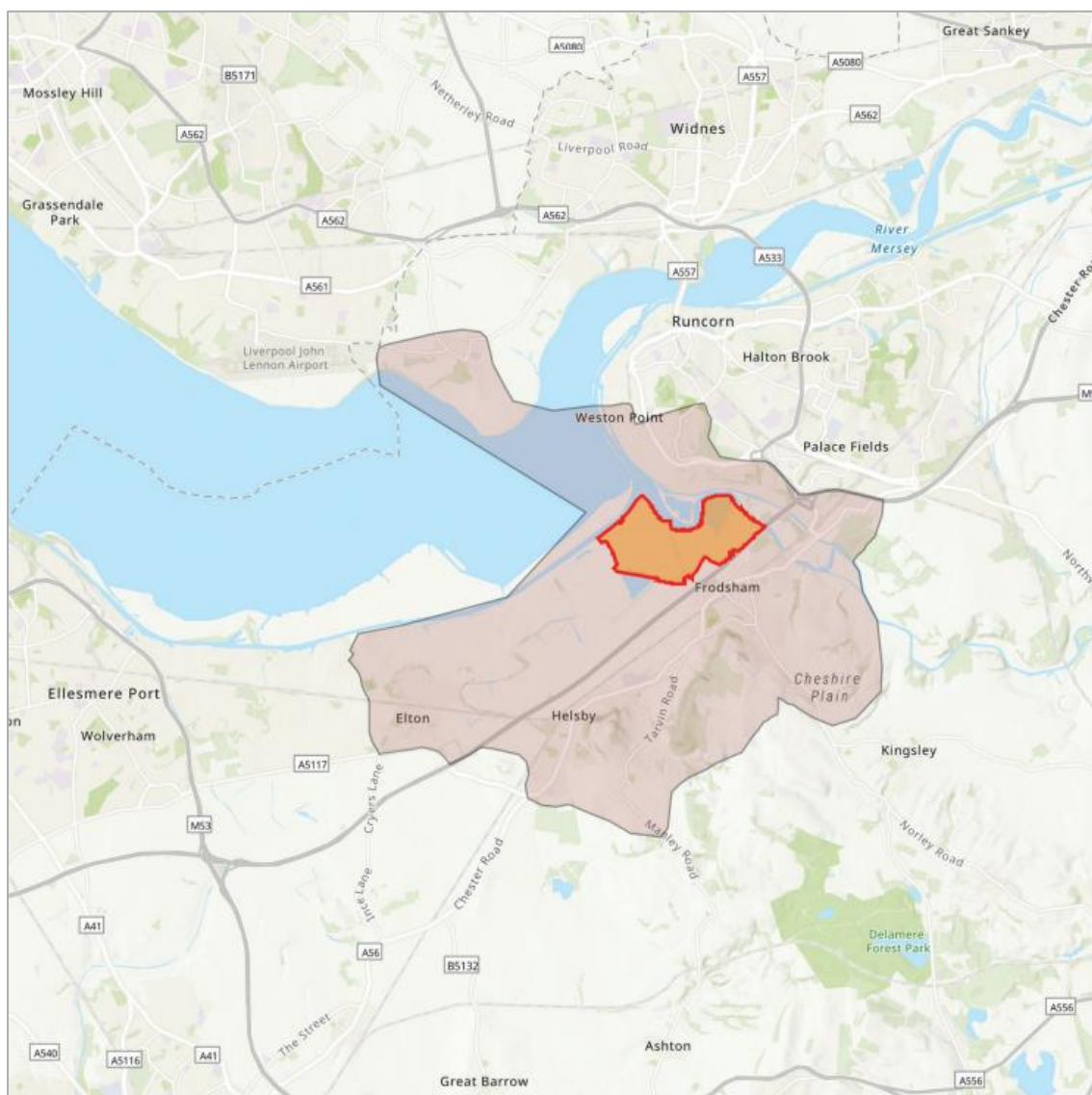
Relevant organisations and representative stakeholders within the Consultation Zone, such as host town and parish councils, host local authority councillors, the

Member of Parliament for Runcorn and Helsby, and identified community groups, will be notified of the upcoming Phase Two consultation opportunities by email.

Consultation opportunities will be publicised to communities and interested parties beyond the Consultation Zone by advertising in local media and contacting our register of interested individuals<sup>1</sup>.

The identified 'gateway organisations' representing potentially seldom heard groups in the Consultation Zone listed in Table 1 of the SoCC will be contacted ahead of our Phase Two consultation to ensure that our approach best meets the needs of their members and those they represent.

**Figure 2: Frodsham Solar Consultation Zone (as presented in SoCC)**



<sup>1</sup> Respondents to the Phase One consultation were provided an option to sign up to receive updates by email or post. Anyone interested in the proposals has also had opportunities to register for updates by contacting our range of free-to-use communications channels.





## How Will We Consult?

As described in Section 6 of the SoCC, our Phase Two consultation will include a range of methods to ensure the consultation is accessible.

### Information events

In-person information events will be held at locations within the Consultation Zone. A webinar event will also be held for any member of the public to join via internet or telephone. These events will be advertised in consultation materials, across local media, and by issuing publicity materials to identified public venues (referred to as local information points) as well as at Community Access Points. We have arranged the following schedule of information events across a range of locations, days and times. This approach is consistent with the Phase One consultation event details provided in the SoCC.

| Location  | Date & Time                                  |
|---|--|
| <b>Christchurch Hall</b><br>Sandy Lane, Weston Point, Runcorn, WA7 4EU  | Monday 25 November 2024<br>3pm - 7pm         |
| <b>Helsby Community Centre</b><br>Lower Robin Hood Lane, Frodsham, WA6 0BW                                    | Tuesday 26 November 2024<br>2pm – 6.30pm     |
| <b>Elton Community Centre</b><br>School Lane, Elton, Chester, CH2 4PU   | Friday 29 November 2024<br>3pm - 7pm         |
| <b>Frodsham Community Centre</b><br>Fluin Ln, Frodsham, WA6 7QN   | Saturday 30 November 2024<br>1.30pm – 5.30pm |
| <b>Frodsham Community Centre</b><br>Fluin Ln, Frodsham, WA6 7QN   | Monday 2 December 2024<br>2.30pm – 6.30pm    |
| <b>Online Community Webinar</b><br>via Zoom (please visit our website or contact us for joining instructions) | Wednesday 4 December 2024<br>6pm – 7.30pm    |

### Literature

As described in Section 6 of the SoCC, a range of materials will be published to promote consultation opportunities and facilitate responses.

A Consultation Postcard will be sent to properties within the Consultation Zone. This will include details of the Phase Two consultation and how to take part.

A Community Consultation Leaflet will be available free-of-charge to view and download online, collect from information events and Community Access Points, and by request from our contact channels. The Community Consultation Leaflet will provide a summary of our updated proposal for Frodsham Solar and how to take part in the consultation.

The PEIR will be published and available to view online and at information events. A Non-Technical Summary (NTS) of the PEIR will be available to view at Community

Access Points. A full copy of the PEIR will be available free-of-charge by USB, but a reasonable charge up to £500 may apply to providing printed copies of the PEIR.

The PEIR will include details of the proposal for Frodsham Solar, including the results of environmental assessments undertaken to date and associated mitigation measures.

Feedback forms will be made available free-of-charge for community members to respond to the consultation. These forms will be available online and in hard copy at Community Access Points, information events, and by request to the contact details below. Feedback forms will be able to be returned free of charge using the Frodsham Solar FREEPOST address (FREEPOST FRODSHAM SOLAR).

Consultation materials can also be made available by request in alternative formats, such as large print, translated language, audio or braille, by contacting us using the details below.

### **Communication channels**

Feedback Forms and any other written feedback can be made to the following project communication channels during the Phase Two consultation period:

- Email: [info@frodshamsolar.co.uk](mailto:info@frodshamsolar.co.uk)
- Freepost Address: FREEPOST FRODSHAM SOLAR

Questions and requests for more information can be made to the communication channels above, as well as through calling the project freephone information line on 0808 175 4004 (open 09:00-17:00, Monday-Friday. A voicemail service will operate for out of office hours).

### **Project website and online information**

The dedicated project website ([www.frodshamsolar.co.uk](http://www.frodshamsolar.co.uk)) remains live. The website will be updated for the start of the Phase Two consultation to include relevant information on the proposal. This will involve hosting Phase Two consultation materials within the Document Library section of the website. Consultation material will be presented digitally, providing information consistent with that available at events and through hard copy materials.

The website will also host an online version of the feedback form, for comments to be submitted online.

### **Advertising, notices and media**

As described in Section 6 of the SoCC, Adverts will be placed in the Chester Chronicle and Chester Standard to publicise the Phase Two consultation opportunities to local communities.

Notices will also be placed in these local newspapers, as well as a national newspaper and the London Gazette, in compliance with Section 48 of the Planning Act 2008.

Local information points such as village halls, places of worship, shops and civic buildings will be provided with posters containing details of how to take part in the Phase Two consultation.

We will be promoting the Phase Two consultation opportunities through a press release issued to regional publications.

### Privacy and data protection

The responses and representations we receive will be considered and will form the basis of a Consultation Report, and therefore may become public. Personal details will be held securely and solely for purposes in connection with the statutory consultation, DCO process and further development of the project.

Outside of these purposes we may be required to provide personal details if the Planning Inspectorate requests original responses. Otherwise, personal details will not be disclosed to any third parties. For further details please see our Privacy Notice at [www.frodshamsolar.co.uk/privacy-policy](http://www.frodshamsolar.co.uk/privacy-policy). A printed copy of the Privacy Notice can be provided upon request to our contact channels.

### Community Access Points

Hard copies of this document and Phase Two consultation materials will be available at the following locations:

| Location  | Date & Time   |
|---|---|
| <b>Frodsham Library</b><br>Princeway, Frodsham,<br>WA6 6RX              | Monday to Friday: 9am – 6pm<br>Saturday: 9:30am – 1pm   |
| <b>Helsby Library</b><br>Lower Robin Hood Lane, Helsby,<br>WA6 0BW      | Monday and Friday: 9.30am – 5pm<br>Tuesday and Wednesday: 9.30am – 7pm<br>Saturday: 9.30am - 1pm  |
| <b>Ellesmere Port Library</b><br>Civic Way, Ellesmere Port, CH65<br>0BG | Monday, Thursday and Friday: 9am – 7pm<br>Tuesday and Wednesday: 9am – 5pm<br>Saturday: 9am – 1pm |

Phase Two consultation materials hosted at these locations will include:

- Copies of this document for reference and taking away.
- Copies of the Community Consultation Leaflet for reference and taking away.
- Copies of the Feedback Form for reference and taking away.
- A copy of the PEIR NTS for reference only.

All of these Community Access Points also host computers with internet access, should that support any interested individual to access the full PEIR.

## APPENDIX 4: SECTION 42 CONSULTEE LIST

**Table 7: Prescribed statutory bodies under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms & Procedure) Regulations 2009, pursuant to Section 3 of those Regulations.**

| Schedule 1 description  | Organisational body or bodies  |
|---|--|
| The Health and Safety Executive   | Health and Safety Executive  |
| The National Health Service Commissioning Board and the relevant clinical commissioning group   | NHS England  |
| The relevant Integrated Care Board  | NHS Cheshire and Merseyside Integrated Care Board                      |
| Natural England   | Natural England  |
| The Historic Buildings and Monuments Commission for England   | Historic England   |
| The relevant fire and rescue authority  | Cheshire Fire and Rescue   |
| The relevant police authority   | Cheshire Police and Crime Commissioner                                 |
| The relevant parish council, or, where the application relates to land Wales or Scotland the relevant community council - i.e. the relevant 'host' parishes | Ince Parish Council  |
|   | Frodsham Town Council  |
| The Environment Agency  | The Environment agency   |
| The Maritime and Coastguard Agency  | Maritime and Coastguard Agency   |
| Civil Aviation Authority  | Civil Aviation Authority   |
| Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)   | Merseyside Passenger Transport Authority and Executive (Merseytravel). |
| The relevant Highways Authority   | Cheshire West and Chester Council (CWCC)                               |
| The relevant Highways Authority   | Halton Borough Council   |
| The relevant strategic highways company   | National Highways  |
| The Canal and River Trust   | The Canal and River Trust  |
| United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care  | Public Health England  |
| Trinity House   | Trinity House  |

**Table 8: Statutory undertakers for the purposes of Section 127 of the Planning Act 2008**

| Schedule 1 description                                     | Organisational body or bodies                                    |
|--|--|
| Special Health Authorities                                 | NHS Business Services Authority (NHS BSA)                        |
|  | NHS Blood and Transplant (NHS B&T)                               |
|  | NHS Litigation Authority (known operationally as NHS Resolution) |
|  | NHS Counter Fraud Authority (NHS CFA)                            |
| The Crown Estate Commissioners                             | The Crown Estate   |
| The Forestry Commission                                    | The Forestry Commission  |
| The Office for Nuclear Regulation (the ONR)                | The Office for Nuclear Regulation (the ONR)                      |
| The relevant NHS Trust                                     | Northwest Ambulance Service NHS Trust                            |
| Railways   | Network Rail Infrastructure Ltd                                  |
|  | Highways England Historical Railways Estate                      |
| Canal or Inland Navigation Authorities                     | Association of Inland Navigation Authorities (AINA)              |
| Dock and Harbour authority                                 | Peel Ports   |
| Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000) | NATS En-Route Safeguarding                                       |
| Universal Service Provider                                 | Royal Mail Group   |
| Homes and Communities Agency                               | Homes England  |
| The relevant water and sewage undertaker                   | United Utilities   |

| Schedule 1 description              | Organisational body or bodies   |
|-------------------------------------|---------------------------------|
| The relevant public gas transporter | Cadent Gas Limited              |
|                                     | Last Mile Gas Ltd               |
|                                     | Energy Assets Pipelines Limited |
|                                     | Northern Gas Networks Limited   |
|                                     | Scotland Gas Networks Plc       |
|                                     | Wales and West Utilities Ltd    |
|                                     | ES Pipelines Ltd                |
|                                     | ESP Networks Ltd                |
|                                     | ESP Pipelines Ltd               |
|                                     | Fulcrum Pipelines Limited       |
|                                     | Harlaxton Gas Networks Limited  |
|                                     | GTC Pipelines Limited           |
|                                     | Independent Pipelines Limited   |
|                                     | Indigo Pipelines Limited        |
|                                     | Leep Gas Networks Limited       |
|                                     | Murphy Gas Networks limited     |
|                                     | Mua Gas Limited                 |
|                                     | Quadrant Pipelines Limited      |

| Schedule 1 description                               | Organisational body or bodies           |
|--|---|
|  | Squire Energy Limited                   |
|  | National Grid Gas Plc                   |
|  | Southern Gas Networks Plc               |
| The relevant electricity distributor with CPO Powers | Eclipse Power Network Limited           |
|  | Energy Assets Networks Limited          |
|  | ESP Electricity Limited                 |
|  | Fulcrum Electricity Assets Limited      |
|  | Harlaxton Energy Networks Limited       |
|  | Independent Power Networks Limited      |
|  | Indigo Power Limited                    |
|  | Last Mile Electricity Ltd               |
|  | Leep Electricity Networks Limited       |
|  | Mua Electricity Limited                 |
|  | Optimal Power Networks Limited          |
|  | The Electricity Network Company Limited |
|  | UK Power Distribution Limited           |
|  | Utility Assets Limited                  |
|  | Vattenfall Networks Limited             |



| Schedule 1 description                               | Organisational body or bodies                     |
|--|---|
|  | SP Manweb Plc                                     |
|  | Squire Energy Metering Ltd                        |
| The relevant electricity transmitter with CPO Powers | National Grid Electricity Transmission Plc        |
|  | National Grid Electricity System Operator Limited |

**Table 9: s43 Planning Act 2008 local authorities (for the purposes of Section 42(1)(b))**

| Category                | Organisation                          |
|-------------------------|---------------------------------------|
| Local Authorities (A-D) | Warrington Borough Council            |
|                         | Wrexham County Borough Council        |
|                         | St Helens Council                     |
|                         | Wirral Metropolitan Borough Council   |
|                         | Cheshire East Council                 |
|                         | Cheshire West and Chester Council     |
|                         | Halton Borough Council                |
|                         | Knowsley Metropolitan Borough Council |
|                         | Shropshire Council                    |
|                         | Liverpool City Council                |
|                         | Flintshire County Council             |

**Table 10: List of gateway organisations that may represent seldom heard groups consulted**

| Organisational body or bodies                          |
|--|
| Cheshire Community Action                              |
| Age UK Cheshire  |
| Age UK Mid Mersey                                      |
| Elton WI   |
| MIND Halton  |
| Bee Friends Frodsham                                   |
| Cheshire, Halton and Warrington Race & Equality Centre |
| The Traveller Movement                                 |
| Friends, Families and Travellers                       |
| Leonard Cheshire                                       |
| Healthbox  |
| Healthwatch Halton                                     |
| Healthwatch Cheshire West                              |
| iMap Centre  |
| Deafness Support Network                               |
| Making Space   |
| The Port Men in Sheds                                  |
| Cheshire Autism Practical Support                      |
| Halton and St Helens Voluntary and Community Action    |
| Vibe UK  |
| Halton Youth Cabinet                                   |
| Frodsham Primary Academy School                        |
| Frodsham Manor House Primary School                    |
| Frodsham CE Primary School                             |
| Elton Primary School and Nursery                       |
| Weston Point Community Primary School                  |
| Changing Lives Together                                |
| Cheshire and Wirral Ornithological Society             |
| Cheshire Constabulary                                  |
| Older People Active Lives (OPAL)                       |
| Frodsham Youth Association                             |
| Helsby Community Sports Club                           |
| Weaver Vale Housing Trust                              |
| Cheshire West Specialist Learning Disability Service   |

**Table 11: List of non-prescribed additions consulted under Section 42 of the Planning Act 2008 in November 2024**

| Schedule 1 description                       | Organisational body or bodies                        |
|--|--|
| Landowner representatives                    | National Farmers Union                               |
|  | Country Land and Business Association (CLA)          |
|  | Chartered Association of Agricultural Valuers (CAAV) |
| Wildlife and heritage groups                 | RSPB   |
|  | Cheshire Wildlife Trust                              |
|  | National Trust                                       |
| Recreation                                   | Ramblers   |
| Others from PINS                             | Liverpool City Region Combined Authority             |
|  | Royal National Lifeboat Institution (RNLI)           |
|  | Cycle North Cheshire                                 |
|  | Wetland Bird Surveys                                 |
| Neighbouring Parishes (to be treated as S42) | Helsby Parish Council                                |
|  | Elton Parish Council                                 |
|  | Sutton Weaver Parish Council                         |
|  | Alvanley Parish Council                              |
|  | Dunham-on-the-hill and Hapsford Parish Council       |
|  | Hale Parish Council                                  |

**Table 12: List of additional bodies consulted under Section 42 of the Planning Act 2008 in March 2025**

| Schedule 1 description             | Organisational body or bodies                                   |
|------------------------------------|---|
| Relevant Highways Authority        | Warrington Borough Council                                      |
|                                    | Wrexham County Borough Council                                  |
|                                    | Wirral Metropolitan Borough Council                             |
|                                    | Cheshire East Council   |
|                                    | Halton Borough Council  |
|                                    | Shropshire Council  |
|                                    | Liverpool City Council  |
|                                    | Flintshire County Council                                       |
| Relevant police authority          | North Wales Police  |
|                                    | West Mercia Police  |
|                                    | Staffordshire Police  |
|                                    | Derbyshire Constabulary   |
|                                    | Greater Manchester Police                                       |
|                                    | Merseyside Police   |
| Relevant Ambulance Service         | West Midlands Ambulance Service University NHS Foundation Trust |
|                                    | Welsh Ambulance Services NHS Trust                              |
|                                    | East Midlands Ambulance Service NHS Trust                       |
| Relevant fire and rescue authority | Merseyside Fire and Rescue                                      |
|                                    | North Wales Fire and Rescue                                     |
|                                    | Stoke-on-Trent and Staffordshire Fire and Rescue                |
|                                    | Shropshire Fire and Rescue                                      |
|                                    | Derbyshire Fire and Rescue                                      |
|                                    | Greater Manchester Fire and Rescue                              |