



## Adequacy of Consultation Representation Proforma

Under *Section 55(4)(b) of the Planning Act 2008* (PA2008) the Planning Inspectorate, on behalf of the Secretary of State, must take any adequacy of consultation representation (AoCR) received from a local authority consultee into account when deciding whether to accept an application for development consent, and this will be published should the application be accepted for examination.

An AoCR is defined in s55(5) in PA2008 as “a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48”.

<b>Project name</b>	Norwich to Tilbury Project
<b>Date of request</b>	01 September 2025
<b>Deadline for AOCR</b>	15 September 2025
<b>Return to</b>	<a href="mailto:NorwichToTilbury@planninginspectorate.gov.uk">NorwichToTilbury@planninginspectorate.gov.uk</a>

Please complete the proforma outlining your AoCR on the above NSIP.

<b>Local Authority</b>	Braintree District Council
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In the opinion of the local authority, has the applicant complied with the legislative requirements listed below?

*Please note that this is specifically about the statutory consultation(s) undertaken.*

<b>Assessment of Compliance - Required</b>	
<b>S42 Duty to consult</b>	<u>Yes</u> / No
<b>S47 Duty to consult local authority</b>	<u>Yes</u> / No
<b>S48 Duty to publicise</b>	<u>Yes</u> / No

If you would like to give more detail on any of the above, please do so below.

*Please keep it as succinct as possible and refer to facts and evidence related to consultation, rather than the merits of the application.*



Additional comments - <i>Not compulsory</i>	
<b>S42 Duty to consult</b>	Having regard to the submitted consultation report & appendices, Braintree District Council (BDC) is satisfied that National Grid Electricity Transmission (NGET) has correctly identified the parties to be consulted as required by Section 42 of the Planning Act 2008 and to the best of BDC's knowledge, has complied with their duty to consult those parties.
<b>S47 Duty to consult local authority</b>	<p>The scheme has been through two rounds of non-statutory consultation (April-June 2022 and June to August 2023 respectively).</p> <p>In addition, the statutory consultation was held between 10 April 2024 and 26 July 2024 with a subsequent targeted consultation with further changes for Essex taking place between 25 February 2025 to 27 March 2025.</p> <p>Having regard to the submitted consultation report &amp; appendices, BDC has no reason to doubt that NGET undertook the consultation in a way that was in accordance with the published SoCC and accordingly has complied with the duties set out in Section 47 of the Planning Act.</p>
<b>S48 Duty to publicise</b>	Having regard to the submitted consultation report & appendices, BDC has no reason to doubt that NGET published the required notices and that the content of those notices complied with the requirements set out in the regulations.



<b>Any other comments</b>	<p><u>Gunning Principles</u></p> <p>Braintree District Council (BDC) is aware of concerns that have been raised by objectors regarding the Gunning Principles and their relevance to the adequacy of consultation conducted by NGET on Norwich to Tilbury.</p> <p>BDC acknowledges that the Gunning Principles apply to the consultation carried out by NGET on the scheme and BDC has had regard to them in its assessment of adequacy of consultation.</p> <p><u>Consultation Observations</u></p> <p>While BDC recognises the challenges a project of this scale and complexity presents, and notwithstanding our view that the minimum statutory tests have been complied with, BDC consider that the overall consultation and design evolution process could have been enhanced by:</p> <ul style="list-style-type: none"><li>- Having sight of the consultation report prior to the submission of the DCO to allow for a better understanding of how the scheme has evolved in response to the public and stakeholder feedback that was received in response to the statutory consultation (2024) and targeted consultation (2025).</li><li>- Having sight of the Environmental Statement which underpins the entire route selection – this would have allowed BDC to reach an informed position on various aspects of the project which prior to submission of the DCO, has not been able to be fully assessed.</li></ul> <p>Overall, while the above information is now submitted, earlier engagement &amp; understanding would only have been more beneficial to the design evolution of the scheme and made the whole process more transparent.</p>
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