



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”.

Project name	Norwich to Tilbury Project
Date of request	01 September 2025
Deadline for AOCR	15 September 2025
Return to	NorwichToTilbury@planninginspectorate.gov.uk To Sian Evans Case Manager

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

Local Authority	Brentwood Borough Council
------------------------	---------------------------

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.

Assessment of Compliance - Required	
S42 Duty to consult	Yes
S47 Duty to consult local authority	Yes
S48 Duty to publicise	Yes

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>	
S42 Duty to consult	No further comment
S47 Duty to consult local authority	<p>Feedback - Despite requests from Brentwood Borough Council (BBC), NGET published no feedback following the statutory consultation undertaken in 2024. This was detrimental to the transparency of the overall process and design evolution of the Project. This deficiency was of particular concern because it is understood responses from this statutory consultation informed the localised changes proposed to the scheme under the targeted consultation undertaken in 2025. However, without sight of any feedback on the issues raised by the public / stakeholders in their responses, it was difficult to understand the rationale behind and the merits of the changes proposed. This is compounded when compared to those issues also raised by residents and stakeholders that it was felt did not warrant any change to the scheme and therefore, were not addressed.</p> <p>Targeted Consultation - BBC had no objection in principle to this approach but was concerned that some of the changes were not identified or consulted on as they were considered to be so minor that they had no material impact on the proposed development. BBC does not disagree that consultation may not have been merited but in the interest of transparency, there should have been an opportunity to review especially as the concentration of non-material changes may also have a bearing on their materiality.</p>
S48 Duty to publicise	No further comment



Any other comments	<p>BBC is of the opinion that the applicant (NGET) has carried out “adequate” pre-application consultation on the proposed Project in line with the statutory requirements of Sections 42, 47 and 48 of the Planning Act 2008.</p> <p><u>Purpose of this consultation</u></p> <p>To confirm, this conclusion is not a view on the merits of the application, nor whether the matters raised through the consultation process have been adequately addressed in the design evolution of the proposal or the preparation of the application.</p> <p>It should be noted that BBC maintains its objection to the Project as raised at Planning Committee on 23 July 2024 in response to the Statutory Consultation; and further concerns raised in its response (March 2025) to the Targeted Consultation (undertaken by NGET).</p> <p><u>Objectors Comments</u></p> <p>BBC 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>BBC acknowledges that the Gunning Principles apply to the consultation carried out by NGET on the scheme and has had regard to them when assessing the adequacy of consultation.</p> <p><u>Additional Observations on Pre application Engagement</u></p> <p><i>Environment Statement</i></p> <p>BBC recognises this is a large and complex project. It also acknowledges the extensive engagement to date across a range of technical subjects that are informing the ES. However, to achieve a good understanding of the scheme and its impacts, this requires a substantial amount of work and resources. Progress on the Statement of Common Ground (SoCG) has been hampered by the absence of detailed information in a number of technical areas. This has made it difficult to reach an informed position on various aspects of the project ahead of submission.</p> <p><i>Member Briefing</i></p> <p>Although it is appreciated this is not a statutory requirement, BBC was disappointed that NGET have not offered Member briefings following submission of the application. Experience has shown that once the application is accepted, this is an opportune time to engage Members so that they have up to date and clear information around the project. It is disappointing to see that NGET are not proposing a consultation or publication approach for this stage of the project, to update all communities impacted on what is expected and how they can put forward their views. BBC would support more proactive engagement</p>
---------------------------	---



	rather than relying on the PINS process in line with the consideration of best practice to ensure all those who wish to engage in the process are able to do so.
--	--