



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

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

Local Authority	Suffolk County 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.

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	SCC is generally satisfied that NGET (the Applicant) has correctly identified the parties to be consulted as required by Section 42(1) and to the best of SCC's knowledge, has complied with their duty to consult those parties. SCC has not sought to verify the Applicant's identification of persons falling within the scope of Section 42(1)(d) and Section 44 of the Planning Act 2008 but it is generally content that the methodology for identifying such persons, as described in section 8.7 of the Consultation Report, would, if followed, represent the making of diligent inquiries to ascertain the existence of such persons. SCC is not aware of any evidence to indicate that the described methodology was not followed.
S47 Duty to consult local authority	SCC is satisfied that it was consulted by the Applicant on the proposed SoCC. SCC concurs with the statement in the Consultation Report (para 7.3.13) that SCC did not submit a response to the formal consultation because its comments on the duration of the consultation period in response to the earlier informal consultation on the proposed SoCC were taken into account (as stated at para 7.3.6 of the Consultation Report and its Appendix E4). SCC is generally satisfied that the Applicant undertook the consultation about the proposed application in a way that was in accordance with the published SoCC and accordingly that the Applicant has complied with the duties set out in Section 47 of the Planning Act. 2008.
S48 Duty to publicise	SCC has no reason to doubt that the Applicant published the required notices and that the content of those notices complied with the requirements set out in the regulations. SCC therefore considers the Applicant has to the best of our knowledge complied with their duty to publicise under this section of the Planning Act 2008.



Any other comments	<p>Notwithstanding the above it should be noted that SCC maintains its objection to the Project as raised at Cabinet on 21 May 2024; and further concerns raised in its response (3 March 2025) to the Targeted Consultation (undertaken by the Applicant). However, SCC notes and acknowledges that this AoCR Proforma is only addressing the issue of compliance with the specified pre-application statutory duties concerning consultation and publicity.</p> <p>As part of SCC's original response (July 2024) it was felt that the Applicant should pause its Proposed Application and consider the alternative transmission options outlined in a study (March 2024) undertaken by the Electricity Systems Operator (ESO). Further details on this matter will be provided as part of SCC's relevant representations to the submission Development Consent Order (DCO).</p> <p>Notwithstanding SCC's serious concerns regarding the merits of the project, including the potential impacts upon local communities and businesses, the consultation is considered, to the best of SCC's knowledge, to have complied with the statutory duties in sections 42, 47, and 48 of the Planning Act 2008. That assessment is sufficient to enable SCC to provide a AoCR (via this Proforma) that meets the requirements of Section 55(5) of the Planning Act 2008.</p> <p>SCC has not and does not consider it necessary or proportionate to undertake any further assessment of the Applicant's compliance with the public law principles of consultation in respect of the adequacy of consultation at the pre application stage. SCC is aware that in the Planning Inspectorate's AoC Milestone feedback to the Applicant (given on 30 June 2025) the Planning Inspectorate asked the Applicant to ensure that its Consultation Report clearly explained how the Applicant has complied with the 'Gunning' principles when undertaking its consultation. SCC is aware that this topic is addressed in the submitted Consultation Report and its accompanying appendices (including a legal Opinion from the Applicant's leading counsel). In the circumstances, SCC sees no reason why it should seek to undertake any similar exercise. SCC understands that the Applicant has a duty in Section 49(2) of the Planning Act 2008 to take into account responses to consultation and publicity and that the Secretary of State must have regard to the Consultation Report which gives details of the relevant responses and account taken of those responses when deciding whether to accept the application under Section 55(3) and Section 55(4) of the Planning Act 2008. SCC is therefore content that the Secretary of State will already be addressing the question of the Applicant's compliance with the 'Gunning' principles without any need for SCC to address the same.</p>
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