



## 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>	Hampshire Water Transfer and Water Recycling Project
<b>Date of request</b>	29 May 2026
<b>Deadline for AOCR</b>	12 June 2026
<b>Return to</b>	<a href="mailto:HampshireWaterProject@planninginspectorate.gov.uk">HampshireWaterProject@planninginspectorate.gov.uk</a>

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

<b>Local Authority</b>	East Hampshire 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>	Yes
<b>S47 Duty to consult local authority</b>	Yes but please see additional info below for further consideration.
<b>S48 Duty to publicise</b>	Yes with regards to the statutory consultation process.

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 - *Not compulsory***

**S42 Duty to  
consult**



## S47 Duty to consult local authority

East Hampshire District Council (EHDC) considers that, in respect of its role as a host local authority, it has been appropriately consulted during the statutory and non-statutory consultation process. However, the Council wishes to draw attention to concerns recently raised locally regarding the extent, timing and effectiveness of engagement with parish councils, ward Members and affected communities, particularly during earlier non-statutory stages. While these matters do not necessarily indicate a failure to meet the procedural requirements of Section 47, they are relevant to the Planning Inspectorate's consideration of the overall adequacy of consultation, including whether affected communities had a clear and meaningful opportunity to engage at an appropriately formative stage.

In summary, they raise the following key issues:

- **Timing of consultation:** It is understood that public consultation on the preferred WT&WR option did not take place until after that option had already been selected. This raises concern as to whether affected communities had a genuine opportunity to influence the decision at a formative stage.
- **Scope and purpose of earlier consultation:** The 2021 consultation, while it is appreciated was undertaken on a non-statutory basis, is understood to have focused on a different scheme (Fawley desalination) and not on selecting the WT&WR option. There is therefore concern about the extent to which that earlier consultation can reasonably be relied upon to support the later choice of scheme.
- **Coverage of affected communities:** Concerns have been raised that some communities likely to be affected, particularly those within East Hampshire who may receive water from the scheme, were not clearly identified or directly engaged during earlier consultation stages. It is acknowledged that these earlier stages were non-statutory, but nevertheless this does raise questions as to the extent of meaningful engagement.
- **Clarity of information provided:** There is concern that consultation materials did not clearly explain the implications of the scheme for all affected areas, including how water supply arrangements may change in practice.
- **Consultation requirements and good practice:** Feedback suggest that expectations around consultation, both in terms of statutory requirements and established principles of fair consultation, may not have been fully met.



	<p>EHDC did highlighted concerns in our response to Southern Water's 2024 statutory consultation that no public events were held in the affected parts of the district and that consultation materials were not deposited locally for residents to access. The Council asked that future submissions should take these issues into account to ensure that affected communities are appropriately reached. These matters were noted by Southern Water in the Statement of Common Ground between EHDC and Southern Water.</p>
<b>S48 Duty to publicise</b>	<p>EHDC notes that publicity requirements associated with the statutory consultation appear to have been met. However, the Council reiterates concerns (as outlined above) regarding whether all affected communities were effectively reached in practice.</p>
<b>Any other comments</b>	<p>EHDC provides these comments to assist the Planning Inspectorate in its consideration of the adequacy of consultation at the Acceptance stage. The Council's intention is to ensure that matters raised by local communities are appropriately documented and taken into account, rather than to reach a definitive conclusion on compliance.</p>