Planning Inspectorate

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	Sea Link
Date of request	28 March 2025
Deadline for AOCR	11 April 2025
Return to	southeastanglialink@planninginspectorate.gov.uk

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

Local Authority	Suffolk County 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 community	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 - *Not compulsory*	
S42 Duty to consult	Subsection (1)(a) refers to 'such persons as may be prescribed'. These persons are listed in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. A list of those consulted has been provided in the Consultation Report and appears to comply with those of relevance listed in Schedule 1. A requirement to consult the relevant parish councils is included within Schedule 1. This appears to have been complied with. The order limits of the Sea Link DCO application fall partially within English waters, and so subsection (1)(aa) is engaged. The Consultation Report states that the Marine Management Organisation was consulted accordingly. The Applicant has provided a list of the local authorities consulted on the project. This list includes the Council, alongside other host local authorities and a few neighbouring local authorities. The Council can confirm they were engaged with by the applicant on all the consultation phases, and the applicant has therefore complied with subsection b) in so far as the Council is concerned. There is no requirement to consult the Greater London Authority as the order limits of the Sea Link DCO application do not fall within Great London, therefore subsection (1)(c) is not engaged. The Consultation Report does, however, state that the Applicant consulted the Greater London Authority on a precautionary basis as it shares a boundary with Kent County Council and is thus a category 'D' authority. Subsection (1)(d) of section 42 requires the Applicant to consult each person who is within one or more categories set out in section 44. This would include owners, lessees, tenants or occupiers of land included within the boundary of the order limits or those with an interest in the land or with a power to sell or convey the land. A list of landowner and statutory undertaker consultation has been provided in the Consultation Report. A table has been provided which details the landowners consulted by reference to their landowner number, and so it is not possible from this information to see if every person set out in section 44 has been consulted. Therefore, no comments are provided by the Council on this point. Section 45 of the Act 'timetable for consultation under section 42' requires that the applicant notifies the consultee of the deadline for receipt of comments in relation to the consultation which must not be earlier than 28 days after the consultation documents are received. The

	Council can confirm that in relation to consultation with the Council the requirements of section 45 of the Act have been met.
S47 Duty to consult local community	In accordance with subsection (1), the Applicant prepared a Statement of Community Consultation (SoCC) which set out how they proposed to consult with 'people living in the vicinity of the land'. The SoCC has been provided in Appendix D to the Consultation Report. The Applicant consulted the Council on the draft SoCC with comments being provided before the deadline. The Council suggested that the promoter set up an additional workstream to facilitate effective and active dialogue with the local community. The Council considers that the Applicant had regard to its comments, although no amendments were made to the SoCC in response to this suggestion. The Applicant has provided evidence in Appendix D to show the revised SoCC was published in the following newspapers: • East Anglian Daily Times, 17 October 2023 • The Kentish Gazette, 19 October 2023 The Council agrees that in accordance with subsection (6)(za) that the Applicant made the SoCC available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land. The Council is satisfied these newspapers 'circulate in the vicinity of the land' as required by subsection (6)(a). Subsection (6)(b) also requires the SoCC to be published 'in such manner as may be prescribed'. The statement was also made available to view on National Grid's Proposed Project webpage. Subsection (7) requires the applicant to undertake the consultation in accordance with the details set out in the statement. The Council has no reason to question whether the Applicant has carried out the consultation in accordance with the SoCC. By preparing a SoCC and consulting the relevant local authorities with the 'consultation documents', the Applicant has complied with subsections (1), (2), (3) and (4) of section 47. The Council is also satisfied that the Applicant generally complied with subsection (5) with comments raised regarding the SoCC being given due 'regard' as required.
S48 Duty to publicise	Part 4 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 sets out how to 'publicise the proposed application in the prescribed manner' in order to comply with subsection

	(1). Appendix E4 of the Consultation Report provides copies of the section 48 notices that were published within the following sources: • East Anglian Daily Times (17 October 2023 and 24 October 2023) • Kentish Gazette (19 October 2023 and 26 October 2023) • The Guardian (national newspaper (24 October 2023)) • Lloyd's List (as the Proposed Project relates to offshore development (24 October 2023)) • Fishing News (as the Proposed project relates to offshore development (24 October 2023)) • The London Gazette (26 October 2023) The publication of the proposed application as set out in the Consultation Report complies with subsection (1). The other phases of the consultation were also published in local newspapers. The press notice published provided a deadline for the receipt of responses to the consultation and therefore complied with subsection (2) of section 48. The notice was published between 17 October 2023 and 26 October 2023, and a deadline of 18 December 2023 provided. This timeframe exceeded the requirement set out in the 2009 Regulations of 'not less than 28 days' but the local communities and stakeholders did find digesting the significant volumes of information provided during the consultation and drafting a detailed response within the timeframe challenging.
Any other comments	