

**CONTENTS**

**5.0    CONSULTATIONS ..... 5-1**

5.1    Introduction ..... 5-1

5.2    DCO Consultation Requirements ..... 5-2

5.3    Consultation to Date ..... 5-3

5.4    Statutory Consultation ..... 5-4

5.5    References ..... 5-5

## 5.0 CONSULTATION

### 5.1 Introduction

- 5.1.1 This chapter of the Preliminary Environmental Information (PEI) Report provides a summary of the consultation held to date for the Proposed Project and also sets out the next steps which will be taken.
- 5.1.2 Effective stakeholder engagement and consultation is intrinsic to the Planning Act 2008 and fundamental to the success of the Proposed Project. The process of consultation is critical to the development of a comprehensive and balanced Environmental Statement (ES). The views of statutory and non-statutory consultees serve to focus the environmental studies and to identify specific issues that require further investigation. Consultation is an ongoing process, which enables mitigation measures to be incorporated into the project design thereby limiting adverse effects and enhancing environmental benefits.
- 5.1.3 The Proposed Project has a wide range of stakeholders (including landowners, statutory consultees, local communities and specialist interest groups) with differing interests that will require varied levels of consultation. Specific communication activities therefore need to be focussed to meet the needs of particular individuals and groups. This requires an understanding of the stakeholders and their interests in the Proposed Project.
- 5.1.4 Stakeholder engagement for the Proposed Project is based on the following principles:
- Timely and ongoing engagement to update the community on the Proposed Project and the relationship to the consented Slough Multifuel Facility (hereafter referred to in this PEI Report Chapter as the Consented Development);
  - Seeking an appropriate level of feedback ensuring that comments received are taken into consideration;
  - Building of long-term relationships with key stakeholders throughout the different stages of the Proposed Project to help better understand their views;
  - Where possible and practicable ensuring concerns are addressed; and
  - Ensuring appropriate statutory consultation is undertaken in compliance with requirements of the Planning Act 2008, EIA Regulations and associated guidance.
- 5.1.5 Consultation is an on-going process and the publication of this PEI Report forms an important part of that process.

## 5.2 DCO Consultation Requirements

- 5.2.1 The DCO process has a number of statutory requirements regarding consultation. These requirements stipulate that certain stakeholder groups and the community must be consulted as part of the pre-application process, as set out in Sections 42 to 50 of the Planning Act 2008 and Regulation 13 of the EIA Regulations.
- 5.2.2 The six key stages of NSIPs which must be followed are as follows:
- Pre-application;
  - Acceptance;
  - Pre-examination;
  - Examination;
  - Recommendations and Decision; and
  - Post Decision.
- 5.2.3 The Planning Act 2008 (the Act) requires applications for development consent to undertake formal (statutory) pre-application consultation on their proposals.
- 5.2.4 There are a number of requirements as to how this consultation must be undertaken that are set out in the Act and related regulations, including:
- **Section 42** requires the Applicant to consult with ‘prescribed persons’, which includes certain consultation bodies such as the Environment Agency and Natural England, relevant statutory undertakers, relevant local authorities, those with an interest in the land, as well as those who may be affected by the Proposed Project;
  - **Section 47** requires the Application to consult with the local community on the development. Prior to this, the Applicant must agree a Statement of Community Consultation (SoCC) with the relevant local authorities. The SoCC sets out the proposed community consultation. The SoCC was published on 1 April 2022.
  - **Section 48** places a duty on the Applicant to publicise the proposed application in the ‘prescribed manner’ in a national newspaper, The London Gazette, local newspapers circulating within the vicinity of the land and certain marine publications; and
  - **Section 49** places a duty on the Applicant to take account of any relevant responses received to the consultation and publicity that is required by Sections 42, 47 and 48.
- 5.2.5 The pre-application consultation undertaken by the Applicant will be documented within a Consultation Report that will form part of the DCO application. This will include a separate section on EIA related consultation as recommended within PINS Advice Note Fourteen: Compiling the Consultation Report (PINS, 2021).

### **5.3 Consultation to Date**

#### Informal Consultation

- 5.3.1 SSE generally adopts a two-stage approach to its pre-application consultation on major projects. Accordingly, a stage of non-statutory consultation (the 'Stage 1 Consultation') was undertaken in November/ December 2021. The Stage 1 consultation helped inform the approach to statutory consultation (the 'Stage 2 Consultation').
- 5.3.2 A number of meetings with statutory consultees were undertaken in late 2021 and early 2022 to provide an introduction to the proposals prior to informal consultation, including with:
- The Planning Inspectorate;
  - SEGRO (the landowner); and
  - Project Liaison Group (includes Slough Borough Council, the Environment Agency, and Thames Water).
- 5.3.3 In addition, a project website has been set up to provide up to date information on the Proposed Project. This is: <https://www.ssethermal.com/energy-from-waste/slough-multifuel>. Information has been provided to local residents, resident businesses on the Slough Trading Estate, and local community groups in advance of the submission of the Scoping Report and this PEI Report in the form of leaflet dropping.

#### Formal Scoping

- 5.3.4 An EIA Scoping Report and a request for an EIA Scoping Opinion pursuant to Regulation 10 of the EIA Regulations was submitted to PINS on 17<sup>th</sup> November 2021. A Scoping Opinion was issued by the Planning Inspectorate (on behalf of the SoS) on 22<sup>nd</sup> December 2021.
- 5.3.5 The purpose of the EIA Scoping process is to determine which topics should be included in the ES, and the level of detail to which they should be assessed.
- 5.3.6 The EIA Scoping Report (refer to PEI Report Volume 3, Appendix 1A) was developed with reference to standard guidance and best practice and was informed by the EIA team's experience working on a number of other similar projects, including the EIA for the Consented Development, which was completed in December 2018.
- 5.3.7 The Planning Inspectorate (on behalf of the SoS) consulted on the Scoping Report under the EIA Regulations. Under Regulation 10(6) of the EIA Regulations, the SoS undertook consultation with statutory consultation bodies, including environmental bodies (such as Natural England, the Environment Agency and Historic England) and relevant planning authorities (Slough Borough Council),

before adopting a Scoping Opinion. Details of these consultee responses are enclosed within the Scoping Opinion (refer to Appendix 1B in PEI Report Volume 3).

5.3.8 A Scoping Opinion was issued by the Planning Inspectorate (on behalf of the SoS) on 22nd December 2021 and is included within PEI Report Volume 3, Appendix 1B.

5.3.9 The matters raised by PINS in the Scoping Opinion have been reviewed and are being taken into consideration in the relevant technical assessments for the Application.

#### EIA Stakeholder Engagement

5.3.10 Pre application engagement was undertaken in February and March 2022 to review the Proposed Project and further refine project scope upon receipt of the Scoping Opinion, including consultation with:

- Slough Borough Council Planning Department; and
- Slough Borough Council Transport Team.

## **5.4 Statutory Consultation**

### Statement of Community Consultation (SoCC)

5.4.1 As part of the statutory consultation pre-application process, publication of Statement of Community Consultation (SoCC) and SoCC Notice was published on 1 April 2022.

5.4.2 The SoCC details the Applicant's proposed consultation strategy in respect of the Proposed Project and has been prepared in accordance with section 47 of the Act and guidance produced by the Department for Communities and Local Government: Guidance on the Pre-Application Process.

5.4.3 Section 47 of the Act requires consultation with people living in the vicinity of the land where the proposed development will be located. The proposed approach to community consultation seeks to satisfy the requirement to ensure that information and the opportunity to comment is provided to who the Proposed Project would be most relevant.

5.4.4 The Applicant consulted the SBC on a non-statutory basis in February 2022. No comments were received and following this in March 2022 the Applicant undertook statutory consultation on an updated draft of the SoCC with SBC. SBC were provided with the statutory 28-day period to provide comments. Following the end of the 28-day period SBC confirmed they had no comments on the draft SoCC, after which the Applicant published the SoCC on their Project Website and SoCC Notice (in the Slough Observer) on 1 April 2022.

### Stage 2 Statutory Consultation

5.4.5 It is intended that the Stage 2 statutory consultation will be undertaken and progressed between April 2022 and June 2022, as follows:

- Stage 2 s48 notices – distribution to consultees in late April 2022;
- S48 Notice Review Period (at least 30 days) – May to June 2022; and
- End of Stage 2 (Statutory Consultation) – early June 2022 after at least 30 days.

## **5.5 References**

HM Government (2008) The Planning Act 2008.

HM Government (2017) The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017 No. 572).

Planning Inspectorate (2021) Advice Note Fourteen: Compiling the Consultation Report, Version 3, February 2021.