

# SLOUGH MULTIFUEL EXTENSION PROJECT

[PINS Ref: EN010129]

## Environmental Statement Volume 1 – Environmental Statement

### **Chapter 5 – Consultation**

Application Document Reference: [6.2.5]

APFP Regulations 5(2)(a)

Revision Number: 1.0

Planning Act 2008  
Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

## CONTENTS

<b>5.0</b>	<b>CONSULTATION .....</b>	<b>5-1</b>
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.....	5-6

## 5.0 CONSULTATION

### 5.1 Introduction

- 5.1.1 This chapter of the Environmental Statement (ES) 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 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 (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 ES forms an important part of that process. The Planning Inspectorate and Examining authority will provide stakeholders with additional opportunities to comment on the proposals following submission of the DCO Application.

## 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 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 Applicant 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<sup>st</sup> 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 [**Application Document Reference 5.1-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 The Applicant generally adopts a two-stage approach to its pre-application consultation for the Proposed Project. 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'), which followed in early 2022.
- 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;
  - Slough Trading Estate Limited owned by SEGRO PLC (the freehold landowner and Slough Trading Estate manager); and
  - Project Liaison Group (includes Slough Borough Council (SBC), the Environment Agency, and Thames Water).
- 5.3.3 In addition, a project website was set up to provide up to date information on the Proposed Project. Information was provided to local residents, neighbouring businesses on the Slough Trading Estate, and local community groups in advance of the submission of the EIA Scoping Report to PINS. Further information on the scoping process is set out below.

#### Formal Scoping

- 5.3.4 The 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 **Appendix 1A [Application Document Reference 6.4.1 – EIA Scoping Report]** in this ES) 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 (SBC), before adopting a Scoping Opinion. Details of these consultee responses are enclosed within the Scoping Opinion (refer to **Appendix 1B [Application Document Reference 6.4.2 – EIA Scoping Opinion]** in this ES).

- 5.3.8 A Scoping Opinion was issued by the Planning Inspectorate (on behalf of the SoS) on 22<sup>nd</sup> December 2021 and is included within this ES (refer to **Appendix 1B [Application Document Reference 6.4.2 – EIA Scoping Opinion]**).
- 5.3.9 The matters raised by PINS in the Scoping Opinion have been reviewed and have been 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:
- SBC Planning Department; and
  - SBC Transport Team.

## **5.4 Statutory Consultation**

### Statement of Community Consultation (SoCC)

- 5.4.1 As part of the statutory consultation pre-application process, a Statement of Community Consultation (SoCC) and SoCC Notice were published on 1<sup>st</sup> April 2022.
- 5.4.2 The SoCC details the Applicant's proposed consultation strategy in respect of the Proposed Project and was 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 Project will be located. The Applicant's approach to community consultation (as set out in the SoCC) sought to ensure that information and the opportunity to comment was provided to those who the Proposed Project would be most relevant to.
- 5.4.4 The Applicant consulted with SBC on the SoCC 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<sup>st</sup> April 2022.

- 5.4.5 The Applicant complied with the stipulations of the SoCC when undertaking the statutory Stage 2 Consultation, more information on this can be found on the following section and in the submitted Consultation Report [**Application Document Reference 5.1- Consultation Report**].

#### Stage 2 Statutory Consultation

- 5.4.6 The Stage 2 statutory consultation was undertaken between 5 May 2022 and 17 June 2022, as follows:
- S46 Notification to PINS – the Applicant notified PINS of the statutory consultation on 3 May 2022 in advance of its commencement.
  - S42 Consultation – distribution of s42 letters, including s48 notices and PEI Report to all s.42 consultees in early May 2022;
  - S42 Site Notice – Site Notices setting out details of the statutory consultation were erected at several places around the boundary of the Site on 5 May 2022.
  - S47 Local Community – demonstrating compliance with the agreed SoCC, This included the distributed consultation newsletters (including USB with PEI Report and s48 notice) to all properties within the consultation radius in late April/ early May 2022. The Applicant also held two physical consultation events and two virtual webinars for the local community to join.
  - S48 Notice Review Period (at least 30 days) – the s48 notice was published in the relevant national and local newspaper on 5 May 2022 and again in the local paper on 12 May. The consultation allowed more than 30 days from the publication of the second notice until its close on 17 June 2022.; and
  - End of Stage 2 (Statutory Consultation) – 17<sup>th</sup> June 2022 after at least 30 days.
- 5.4.7 Full details of how the Applicant complied with the SoCC and the requirements of the PA 2008 can be found in the submitted Consultation Report (refer to [**Application Document Reference 5.1- Consultation Report**]).
- 5.4.8 A PEI Report was prepared to satisfy the requirements of Regulation 12 of the EIA Regulations. In order to enable consultees to understand the likely environmental effects of the Proposed Project, the PEI Report presented preliminary findings of the environmental assessments undertaken at the time of writing. This allowed consultees the opportunity to provide informed comment on the Proposed Project, the assessment process and preliminary findings prior to the finalisation of the DCO application and the ES.
- 5.4.9 The PEI Report was published for consultation during the Stage 2 statutory consultation (the consultation ran from 5<sup>th</sup> May 2022 until 17<sup>th</sup> June 2022). Consultation responses have been reviewed and have informed the preparation of

this ES, all response details can be found in Consultation Report [**Application Document Reference 5.1- Consultation Report**].

## 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.