

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	12 September 2025
Decision Maker (Officer):	Gary Guiver
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Concurrence has been obtained in consultation with the Portfolio Holder for Housing & Planning, Cllr. A Baker.
Ward Member(s) consulted?	Ward Members have not been formally consulted on the adequacy of consultation representation itself. However, engagement with affected Members has been ongoing throughout the pre-application stage and will continue as the DCO examination progresses.
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	Submit an Adequacy of Consultation Representation to the Planning Inspectorate, acknowledging that National Grid has met the minimum statutory requirements regarding pre-application consultation, while highlighting the Council's concerns regarding the quality and effectiveness of engagement with affected communities.
Reason for Decision (if a report was produced to	See attached report.

support the Decision, refer to or attach it):	
Highlight any associated risks/finance/legal/equality considerations:	See attached report.
NEW : Details of Local Government Reorganisation and/or Devolution considerations	The decision to submit a representation has no direct impacts on Local Government Reorganisation (LGR). However, TDC's response is aligned with neighbouring authorities and Essex County Council – which will enable ongoing collaboration throughout the DCO examination.
Details of any Alternative Options Considered and rejected (together with reasons):	1. Submit an Adequacy of Consultation Representation to the Planning Inspectorate, acknowledging that National Grid has met the minimum statutory requirements regarding pre-application consultation, while highlighting the Council's concerns regarding the quality and effectiveness of engagement with affected communities. 2. Submit a Representation asserting that National Grid has not complied with the requirements set out in S42, S47, and S48 of the Planning Act 2008. Legal advice obtained by ECC indicates that the threshold for meeting the requirements is modest, and that it would not be a credible position to assert that National Grid has failed to meet its minimum statutory obligations. 3. Do not submit a response. This would reduce the Council's ability to represent the concerns of its residents who are most directly and significant affected by the proposals.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	N/A

If relevant, a note of the dispensation granted by the Monitoring Officer:		
Reason Decision, or supporting Report, is not published: <i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	X	Not applicable – TDCs position on the adequacy of consultation to be published
	If Report is not to be published – tick one of the following boxes:	
		N/A

Officers

Signed: Gary Guiver
Community)

Title: Corporate Director (Planning and

Signed: Paul Woods

Title: Planning Policy Team Leader

In consultation with: Cllr. A. Baker

Dated: 12 September 2025