



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	Norwich to Tilbury Project
Date of request	01 September 2025
Deadline for AOCR	15 September 2025
Return to	NorwichToTilbury@planninginspectorate.gov.uk

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

Local Authority	Tendring 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.

Assessment of Compliance - Required	
S42 Duty to consult	Yes
S47 Duty to consult local authority	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 - <i>Not compulsory</i>	
S42 Duty to consult	No further comment
S47 Duty to consult local authority	No further comment
S48 Duty to publicise	No further comment



Any other comments	Notwithstanding the position outlined in the 'Assessment of Compliance' section above, Tendring District Council – alongside our affected communities – continues to raise strong objections to several aspects of the proposed scheme. These concerns have been clearly and consistently expressed in our collective responses to both the non-statutory consultation and the subsequent Targeted Consultations conducted by National Grid. While we acknowledge the additional information provided in the Norwich to Tilbury Consultation Report and its associated appendices, initial feedback suggests that many of the issues raised remain unresolved. In line with the views of our communities, the Council will continue to make robust formal representations at appropriate stages. Having reviewed the submitted material, in liaison with our partners in Essex County Council, we have come to the view that the consultation has met the minimum statutory requirements of the Planning Act 2008. We recognise that the Secretary of State must have regard to the Consultation Report and how responses have been taken into account. Tendring District Council does not consider it necessary or proportionate to undertake further assessment of the Applicant's compliance with public law principles at this stage. Whilst the Council does not challenge the legal adequacy of the consultations, it believes the National Grid could and should have done more to achieve meaningful engagement with communities, to properly understand the breadth of their concerns and to explain the justification behind the decisions taken to reach the preferred option and submitted scheme. The Council is acutely aware of the strength of feeling among many of our residents, particularly those in communities most directly affected, and trusts that the examining body will give regard to this in its consideration of the application. A significant number of objectors have questioned the adequacy of the consultation process based on their real-life experience of the scope and quality of engagement, and we are aware that many have expressed their opinion to the Council on the applicant's adherence to public law standards and the Gunning Principles. The Council is sympathetic to the various concerns raised, agrees that the Gunning Principles are relevant and these have been considered as part of our assessment of consultation adequacy.
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