

National Infrastructure Planning Reform Programme Survey

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Deadline 17 December 2021

1. Please provide your name: Julie Baird – Director Planning and Growth

2. Please provide your email address

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3. What could government, its arms-length bodies and other statutory bodies do to accelerate the speed at which NSIP applications can be prepared and more generally enhance the quality of submissions?

The bar set for consultation in the Planning Act is too low. Guidance on the way statutory consultations are carried out would be beneficial. This should include prescribed methods for undertaking consultation and the level of engagement that is expected with the local community. Applicants should be required to provide a minimum level of information and the application of the Rochdale Envelope principle should be reviewed. Applicants should be required to update and inform the local community of changes proposed to the scheme following rounds of informal and formal consultation.

A prescribed timetable for the pre-application phase should be set out in regulations so that all parties can prepare for and engage in the process as appropriate.

Applicants should be required to carry out meaningful engagement with local community groups and other interested parties in the same way as they engage with local authorities. Applicants should be transparent about their proposals at all stages of the process.

4. Following submission, are there any aspects of the examination and decision process which might be enhanced, and how might these be improved?

Difficult for WSC to comment on at this time as we have only been involved in one NSIP which has only reached the stage of DCO submission to Planning Inspectorate (PINs)

5. Where a development consent order has been made, what impediments are there to physically implementing a project which could be removed?

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6. How might digitalisation support the wider improvements to the regime, for example are there any specific aspects that you feel could benefit from digital enhancements?

The use of digitalisation could streamline the application process and standardise the format of applications. Making information available in a suitable format to interested parties is imperative to the improvement of the application and examination process.

However, the nature of NSIPs is that they have wide-reaching effects on the environment and the local communities in which they are situated. The ability of an increasing ageing and isolated population needs to be taken into account and digitalisation should not be a barrier to parties being able to engage in the process.

7. What issues are affecting current NSIPs that would benefit from enhanced cross-government co-ordination including government department and arms-length bodies?

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8. Does the NSIP regime successfully interact with other consenting and regulatory processes and the wider context within which infrastructure projects operate?

Government guidance does not currently set out how the NSIP regime interacts with other consenting and regulatory processes. This should be addressed.

9. Are there areas where limits in the capacity or capability of NSIP applicants, interested parties and other participants are resulting in either delays or adversely affecting outcomes?

The NSIP regime does not currently make any provision for the resourcing of local authorities to ensure that they can fully engage with applicants at the pre-application and examination phases of the process. Similarly there is no provision for post-consent resourcing including the discharge of requirements and enforcement of the DCO.

Applicants are encouraged to engage with local authorities at an early stage and while guidance states that the use of planning performance agreements may be appropriate, it does not place any requirement on applicants to resource local authorities.

The NSIP regime places a significant burden on local authorities and it is essential that they continue to fully engage in the process to ensure that local impacts of proposals are addressed. In addition, the local community looks to the local authority to represent their views and concerns.

10. Is there anything else you think we should be investigating or considering as part of our end-to-end operational review of the NSIP process?

Difficult for WSC to comment on at this time as we have only been involved in one NSIP which has only reached the stage of DCO submission to PINs

11. Please confirm how you interact with the NSIP regime

Local planning authority