

Infrastructure 13, Public Health Wales

Senedd Cymru | Welsh Parliament

Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change, Environment, and Infrastructure Committee

Bil Seilwaith (Cymru) | Infrastructure (Wales) Bill

Ymateb gan Iechyd Cyhoeddus Cymru | Evidence from Public Health Wales

General principles

What are your views on the general principles of the Bill, and is there a need for legislation to deliver the stated policy intention?

Public Health Wales considers the general principles of the Bill of a more streamlined and efficient consenting process for infrastructure projects is positive. Legislation also provides for more consistency and scrutiny in timely and effective delivery of infrastructure projects. It is important however that secondary legislation is consulted upon to ensure all aspects / further considerations are adequately incorporated into the overall process.

What are your views on the Bill's provisions (set out according to parts below), in particular are they workable and will they deliver the stated policy intention?

Part 1 - Significant infrastructure projects

See response to final question.

Part 2 - Requirement for infrastructure consent

See response to final question.

Part 3 - Applying for infrastructure consent

See response to final question.

Part 4 - Examining applications

See response to final question.

Part 5 - Deciding applications for infrastructure consent

See response to final question.

Part 6 - Infrastructure consent orders

See response to final question.

Part 7 - Enforcement

See response to final question.

Part 8 - Supplementary functions

See response to final question.

Part 9 - General provisions

See response to final question.

What are the potential barriers to the implementation of the Bill's provisions and how does the Bill take account of them?

See response to final question.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate legislation (as set out in Chapter 5 of Part 1 of the Explanatory Memorandum)?

See response to final question.

Are any unintended consequences likely to arise from the Bill?

See response to final question.

What are your views on the Welsh Government's assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

We have no comments on this.

Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum or any related matters?

The explanatory memorandum notes 'pre-application consultation with both statutory consultees and local communities is not widely undertaken'. Public Health Wales is the Public Health Institute for Wales but is not a statutory consultee in the planning regime and this hinders effective contribution to public health; it also ignores the fact that infrastructure and planning issues are both important wider determinants of health.

In England, the UK Health Security Agency is a statutory consultee under NSIP and responses are provided in terms of chemicals, radiation and wider environmental hazards to consultations. The disparity between Wales and England needs to be addressed so that the people of Wales are not disadvantaged by not having Environment Public Health scrutiny of infrastructure plans.

The memorandum concedes (8.84) that there is currently a lack of consultees for certain legislative regimes, meaning that third party stakeholders are not guaranteed participation in consultation and may miss opportunities for engagement. It is therefore important that on this matter secondary legislation addresses the current inconsistencies to provide a stronger, multi-dimensional response and engagement from consultees from all sectors.

Finally, Public Health Wales would like to be engaged in the production of Advice Notes to ensure that human health impacts are considered as early as possible along with engagement with PHW, EPHS and other relevant consultees. Ideally, topic-based Policy Statements would provide a robust guidance for developers to ensure that health is considered and addressed as part of the overall process.
