

Infrastructure 14, Pembrokeshire Coast National Park Authority

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 Awdurdod Parc Cenedlaethol Arfordir Penfro | Evidence from Pembrokeshire Coast National Park Authority

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?

The Authority is supportive of the general principle of a simplified new consenting regime and recognises the efficiencies that this approach offers. PCNPA would like to stress however the importance of ensuring that within this streamlined process, environmental protections and processes are not diminished or reduced. This is particularly critical in relation to applications which may have an impact on areas such as National Parks which are recognised as nationally important landscapes. It is also however critical for areas designated as Sites of Special Scientific Interest or Special Areas of Conservation. PCNPA requests that the Committee consider carefully the need to ensure that existing protections remain robust, with no dilution of standards of environmental protection – particularly key given both the climate and nature emergencies currently facing Wales.

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

No response.

Part 2 - Requirement for infrastructure consent

No response.

Part 3 - Applying for infrastructure consent

No response.

Part 4 - Examining applications

No response.

Part 5 - Deciding applications for infrastructure consent

No response.

Part 6 - Infrastructure consent orders

No response.

Part 7 - Enforcement

No response.

Part 8 - Supplementary functions

No response.

Part 9 - General provisions

No response.

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

No response.

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)?

No response.

Are any unintended consequences likely to arise from the Bill?

No response.

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?

PCNPA would also like to take this opportunity to highlight the impact that the planning fee arrangements through the current system for Developments of National Significance (DNS's) have had on Local Planning Authorities. Under the current system Local Planning Authorities only receive 20% of fee income from DNS applications, despite a significant workload associated with these. This has represented a significant loss of income to many LPAs across Wales. PCNPA also has experience of needing to input into a neighbouring LPAs DNS Local Impact

Report but receiving no fee payment for this under the present system. It is hoped that the development of new regulations to accompany the Infrastructure (Wales) Bill allow this key issue to be considered. We would also ask that the Committee give careful thought about how proposals in neighbouring Authorities may generate workloads for neighbouring Authorities and how this might be addressed through a revised fee structure for the new system. Providing Local Authorities with sufficient resource to support their work in feeding back on Infrastructure Consents is essential if local issues and impacts are to be properly considered.

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

PCNPA understand that WG officers have informally advised that the Infrastructure (Wales) Bill is likely to be implemented by mid 2025. Transition arrangements will depend on what stage existing applications are in within the system. It would be very helpful if WG could ensure clarity for the transitional arrangements that will be applied to existing applications already lodged under separate existing regimes.

August 2023



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To: Welsh Government Climate Change, Environment and Infrastructure Committee by email

Dear Sir/Madam,

RE: Infrastructure (Wales) Bill Consultation

I am writing to you on behalf of the Pembrokeshire Coast National Park Authority with regard to the current consultation you are running on the Infrastructure (Wales) Bill. The general principles of the Bill were considered by Authority Members in its meeting of July 2023. The Authority is grateful for the opportunity to comment on the proposals which represent a significant change to the way in which large infrastructure developments will be processed in Wales.

The Authority is supportive of the general principle of a simplified new consenting regime and recognises the efficiencies that this approach offers. PCNPA would like to stress however the importance of ensuring that within this streamlined process, environmental protections and processes are not diminished or reduced. This is particularly critical in relation to applications which may have an impact on areas such as National Parks which are recognised as nationally important landscapes. It is also however critical for areas designated as Sites of Special Scientific Interest or Special Areas of Conservation. PCNPA requests that the Committee consider carefully the need to ensure that existing protections remain robust, with no dilution of standards of environmental protection – particularly key given both the climate and nature emergencies currently facing Wales.

PCNPA would also like to take this opportunity to highlight the impact that the planning fee arrangements through the current system for Developments of National Significance (DNS's) have had on Local Planning Authorities. Under the current system Local Planning Authorities only receive 20% of fee income from DNS applications, despite a significant workload associated with these. This has represented a significant loss of income to many LPAs across Wales. PCNPA also has experience of needing to input into a neighbouring LPAs DNS Local Impact Report but receiving no fee



*Rydym yn croesawu cael
gohebiaeth yn Gymraeg, a
byddwn yn ateb gohebiaeth yn
Gymraeg. Na fydd gohebu yn
Gymraeg yn arwain at oedi.*

*We welcome receiving
correspondence in Welsh, and will
respond to any correspondence in
Welsh. Corresponding in Welsh
will not lead to delay.*

payment for this under the present system. It is hoped that the development of new regulations to accompany the Infrastructure (Wales) Bill allow this key issue to be considered. We would also ask that the Committee give careful thought about how proposals in neighbouring Authorities may generate workloads for neighbouring Authorities and how this might be addressed through a revised fee structure for the new system. Providing Local Authorities with sufficient resource to support their work in feeding back on Infrastructure Consents is essential if local issues and impacts are to be properly considered.

Finally PCNPA understand that WG officers have informally advised that the Infrastructure (Wales) Bill is likely to be implemented by mid 2025. Transition arrangements will depend on what stage existing applications are in within the system. It would be very helpful if WG could ensure clarity for the transitional arrangements that will be applied to existing applications already lodged under separate existing regimes.

I hope that the above is helpful in informing the Committees consideration of this hugely important legislation for Wales.

Yours sincerely,

Cllr Di Clements

Chair of the Pembrokeshire Coast National Park Authority