



Consultation Response

Nationally significant infrastructure planning

Expanding and improving the 'one stop
shop' approach for consents

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1. Introduction

- 1.1. **pteg** represents the six English Passenger Transport Executives (PTEs) in England which between them serve more than eleven million people in Tyne and Wear ('Nexus'), West Yorkshire ('Metro'), South Yorkshire, Greater Manchester ('Transport for Greater Manchester – TfGM'), Merseyside ('Merseytravel') and the West Midlands ('Centro'). The West of England Partnership, Leicester City Council, Nottingham City Council, Transport for London (TfL) and Strathclyde Partnership for Transport (SPT) are associate members of **pteg**, though this response does not represent their views. The PTEs plan, procure, provide and promote public transport in some of Britain's largest city regions.
- 1.2. The PTEs operate at the level of the city regions largely reflecting the relevant functional economic area and they operate at the optimum strategic level for the provision of transport. They are fully accountable, reporting into Integrated Transport Authorities (ITAs) which are composed of elected representatives of the local authorities in the areas they serve. PTEs support the ITAs in the development and delivery of Local Transport Plans.
- 1.3. Our primary concern in relation to the consultation is that for Nationally Significant Infrastructure Projects (NSIPs) adequate consideration is given to the transport implications of such developments and that, in the city regions covered by ITAs and PTEs, that this is best achieved by formally consulting ITAs and PTEs as the strategic transport authorities for those areas.
- 1.4. **We therefore strongly oppose the proposal to remove ITAs and PTEs as statutory consultees for the NSIP regime.**
- 1.5. Our views in relation to this consultation should be read alongside our response to the parallel consultation – 'NSIP: extending the regime to business and commercial projects'.

2. Response to Consultation Questions

Question 1: Do you support the proposal to establish new bespoke consent management arrangements within the Planning Inspectorate? Do you have any comments about the structure and governance of the arrangements? Do you think these arrangements will make the overall consents process more efficient? If not, what further reforms would you suggest, including a greater role for the Planning Inspectorate? [Paras 20-25]

- 2.1. No comment.

Question 2. Do you agree with the proposal to streamline the list of consents that are administered by consenting bodies outside of the Development Consent Order process (Annex B)? Have we identified the right consents to be removed? [Paras 26-27]

- 2.2. No comment.

Question 3. Do you consider that the list of prescribed consultees should be reviewed? Do you agree with the suggested amendments as outlined in Annex C? If not, what are your alternative proposals? [Paras 28-30]

- 2.3. We agree that there is merit in periodically updating the list of prescribed consultees.

- 2.4. We do not agree with the removal of Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs) from the list.
- 2.5. Under the guidance for National Policy Statements and Nationally Significant Infrastructure Projects introduced in the Planning Act of 2008, ITAs and PTEs are statutory consultees. Under the Local Transport Act 2008, ITAs and PTEs have a more clearly defined role in planning transport across their areas, supported by the general power of competence (established in the Localism Act). This role is supported in the White Paper *'Creating growth, cutting carbon: making sustainable local transport happen'*, which very strongly makes the link between transport and development planning, and supports the role of Local Transport Plans (LTPs) as a key strategy.
- 2.6. Our concern about being removed as statutory consultees for NSIP applications is that this will weaken the link between development/land use and transport decision-making. Without this link there is every chance that when new developments are proposed the transport implications can be an after-thought. This can be the case for both public and private sector developments. This runs contrary to the White Paper's aspirations in delivering sustainable local transport.
- 2.7. The role that we play focuses on those applications which would place a material demand on the transport network, or physically impact upon the current (or planned) transport network. The consideration of the impacts of development on the dynamics of local and wider public transport networks must be one of the primary factors in determining applications for nationally significant infrastructure. ITAs and PTEs by their very nature have high levels of expertise and local knowledge and should be the first point of contact for providing technical, social and economic advice with regard to public transport accessibility and any supporting infrastructure needs. By commenting and advising on applications of this nature, our involvement would ensure that the planning process is more effective in terms of its outcomes, reducing the likelihood of inappropriate development and enhancing the overall environment.
- 2.8. We believe that the benefits of our involvement are most effectively delivered by the designation of ITAs and PTEs as statutory consultees rather than by other measures which may, for instance, seek merely to formalise or consolidate current working arrangements with local planning authorities. The designation of statutory consultee status is an appropriate recognition of the enhanced role that ITAs and PTEs now play and the responsibilities that they now have. Moreover, the designation would be important to ensure that developers and local planning authorities take account of the legitimate issues raised by ITAs and PTEs in a constructive and systematic manner, and in the early stages of a project's development thereby eliminating potential costs and delays.
- 2.9. Our understanding is that ITAs/ PTEs have been identified as bodies that do not have a strong record in responding to NSIP consultations. Evidence from PTEs suggests that this is not the case. There have been a handful (four) of relevant applications to which PTEs would in any case respond (as being relevant to them) and where they have been consulted, they have responded within the time allowed (and whether or not it is of relevance to them).
- 2.10. We do not believe that the costs of including ITAs and PTEs within the NSIP prescribed consultees is a detriment to the efficient and effective decision making on what are by nature large and complex applications. However we do very strongly believe that there are

significant benefits to the involvement of the strategic transport authorities in NSIP applications which may have very significant transport implications for local networks.

- 2.11. The consultation recognises that nationally significant infrastructure regime is in its infancy (taking its first decision in October 2011). It rightly suggests that a sufficient number of varied applications may not have yet worked their way through the system so the suggestion at this stage to omit PTEs as statutory consultees appears premature.
- 2.12. The removal of PTEs as statutory consultee in relation to Nationally Significant Infrastructure Projects (NSIPs) contrasts strongly with the position of County Councils, which share similar roles as transport authorities, as these will continue to benefit from statutory consultee status. By retaining this role, better integration of major developments within the local transport network is more likely, with improved outcomes in terms of managing congestion, carbon reduction and the best use of transport investment programmes.
- 2.13. Additionally 'Relevant Highway Authorities' have been rightly retained as statutory consultees. However it should be recognised that TfGM also has a strategic highway role. The Greater Manchester (Combined Authority) Order, 2011, statutorily delegates to the Greater Manchester Combined Authority (GMCA) traffic signal and transport studies functions. The Association of Greater Manchester Authorities (AGMA) local traffic authorities have delegated strategic network management functions to the Transport for Greater Manchester Committee (TfGMC). GMCA and TfGMC have delegated these to TfGM. This means that TfGM has a direct role in carrying out actions to facilitate the performance by the GM local traffic authorities of the duty to manage the traffic on their own roads and facilitating the same on other local authorities' roads. The list of statutory consultees should therefore make reference to the specific highway arrangements in Combined Authority areas – and not only for TfGM as at least two other areas (South and West Yorkshire) are pursuing CA status, which may include some highway responsibilities in the future.

Question 4. Do you agree with the proposition to amend the current definition of the word 'relevant' to exclude the mandatory consultation of bodies that are more distant from the development site? [Paras 31-32]

- 2.14. We agree that bodies such as parish councils may not be relevant consultees where they are more distant from the development site. However, the definition of 'significant' should be based not only on geography but on the role of the body in question. The transport impacts of nationally significant schemes will be felt beyond the boundaries of the local authority area within which new infrastructure is physically located. For bodies such as PTEs, with responsibility for transport in a major conurbation, the fact that a nationally significant development is physically located in a neighbouring area does not necessarily reduce its relevance as the impacts on the local transport network may still be significant.

Question 5. We would also welcome views on or practical examples of how the consenting regime is currently working for nationally significant infrastructure projects and other suggestions on where the regime could be improved. We are also interested to understand more about the costs involved in applying for consents and would welcome responses on this issue.

- 2.15. An example of the benefits of the current regime, in which ITAs/ PTEs are statutory consultees, is given by the Ordsall Chord scheme in Manchester. This development has the potential to cause major traffic problems during construction. The NSIP regime has ensured

that these issues are being discussed with Network Rail and the relevant local authorities, including TfGM, at an early stage. TfGM is currently delivering a number of major transport schemes as part of a £1.5 billion programme and it is essential that these are co-ordinated with the delivery of any nationally significant schemes in the area in order to avoid inconvenience to the travelling public and potential damage to the local economy.