



CLG Consultation - Consultation on list of statutory consultees for National Policy Statements

A combined response by the English National Park Authorities Association and the Welsh Association of National Park Authorities

April 2009

1. The English National Park Authorities Association (ENPAA) welcomes the opportunity to comment on CLG's proposals for who should be consulted in the preparation of National Policy Statements. ENPAA exists to provide a collective voice for the nine English National Park Authorities. It is governed by the Chairs of the nine Authorities. Our response represents the collective view of officers who are working within the policies established by the National Park Authorities (NPAs). We work closely with the Welsh Association for National Park Authorities which provides a similar function for the three Welsh NPAs and this is a combined response. Any comments submitted by individual National Park Authorities will draw on the specific issues for their particular area

2. As planning authorities with statutory National Park purposes we followed the passage of the Planning Bill with interest. Now an Act, the National Park Authorities will continue to engage constructively in debates over the preparation of National Policy Statements. National Park Authorities have a hybrid status. They work within the local government framework and fall within the definition of local authorities for the purposes of the *Planning Act 2008*, and are included by any reference to Local Planning Authorities; but are not covered by the term 'local authorities' in all legislation. This distinction is important and means that particular care needs to be given to drafting Statutory Instruments in order to ensure NPAs are not excluded inadvertently.

3. It is with this context that we warmly welcome the inclusion of National Park Authorities and the Broads Authority in the list of statutory consultees for all cases.

English National Park Authorities Association

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4. We would also wish to use this opportunity to indicate our desire to have early discussions with CLG on a number of the other draft Statutory Instruments and Guidance which are in the process of being prepared. This would be helpful in ensuring there is consistency in planning legislation and that covering National Parks; in assisting with some of the complex drafting points referred to above; and ensuring that the duty under Section 62 of the Environment Act 1995 to have regard to national park purposes is addressed. We are aware of a recent consultation on pre-application consultation and shall study that carefully. Other SIs and Guidance where this would seem to be most appropriate would be:

- Guidance from the Secretary of State on good practice in consultation which promoters should have regard;
- Guidance from the Secretary of State as to what could be classed as “associated development” for which the IPC can grant development consent as part of a nationally significant infrastructure project;
- Regulations transposing the obligations in the EIA and Habitats Directives to the new regime;
- Guidance from the Secretary of State on how an application should be examined by the IPC; and
- Prescribed matters which the IPC will have to take into account in decisions on applications.

We would be happy to assist where we can and, if you agree, would ask that the appropriate lead contact myself at this office so we can find the most efficient means of taking this forward.

Yours sincerely

Paul Hamblin

Paul Hamblin
ENPAA Director

Cc: Steve Quartermain, CLG, Chief Planner