

Rebecca Evans AS/MS
Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA-RE-1879-25

Llyr Gruffydd MS
Chair of the Climate Change, Environment and Infrastructure Committee
Senedd Cymru
SeneddClimate@senedd.wales

Cc: Mike Hedges MS
Chair of the Legislation, Justice and Constitution Committee
Senedd Cymru
SeneddLJC@senedd.wales

11 August 2025

Dear Llyr,

Thank you for the Climate Change, Environment and Infrastructure Committee's report on the Legislative Consent Memorandums¹ for the Planning and Infrastructure Bill. I have set out below my position with regards to the matters raised in the report.

NSIP pre-application

I understand the concerns raised by the Committee and the stakeholders who have written to you in relation to the proposed amendments to the pre-application process for NSIPs.

Pre-application engagement with all stakeholders is a vital part of consenting, ensuring that our developments are shaped in a way that takes account of the needs of communities and our environment. The legislation I laid to implement the Infrastructure (Wales) Act 2024, shows my commitment to having a robust system which ensures local communities and other stakeholders are fully engaged on developments at all stages of the process.

The relevant provisions within the Planning and Infrastructure Bill relate to the process for NSIPs under the Planning Act 2008 and are not within the legislative competence of the Senedd. However, where a development is in Wales, we want to ensure the process is equally front loaded. Given the potential for negative effects, I wrote to the UK Government on these amendments seeking reassurance on pre-application engagement. Matthew Pennycook MP, Minister for Housing and Planning, responded on 2 June 2025. This letter provides the rationale for the change and confirms front-loaded engagement and consultation remains central to their approach, which is also reflected in their written statement: <https://questions-statements.parliament.uk/written-statements/detail/2025-04-23/hcws594>.

¹ Legislative Consent Memorandum and supplementary Legislative Consent Memorandum (No.2).

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1SN

Correspondence.Rebecca.Evans@gov.wales
Gohebiaeth.Rebecca.Evans@llyw.cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Although we have taken a different mechanism in Wales to ensure pre-application engagement results in quality applications, I am reassured that all stakeholders will continue to influence applications at an early stage. On this basis, I am content to support the provision.

NRF cross border issues

I am aware of the concerns raised by stakeholders about the potential cross border implications of the NRF. My officials are working with UK Government officials to consider amendments to the Bill to mitigate this.

HRA territorial extent

My officials have raised the issue of the territorial application of Schedule 4 with UK Government who have advised this was an omission. They have confirmed that they will amend the next iteration of the Explanatory Notes for Schedule 4 to make clear that, as with the other provisions in Part 3, the territorial extent of the Schedule is England and Wales, but it applies to England only.

I have also copied this letter to Mike Hedges MS, Chair of the Legislation, Justice and Constitution Committee, as these matters may also be of interest to that Committee.

Yours sincerely,

A handwritten signature in black ink that reads "Rebecca Evans". The signature is written in a cursive, flowing style.

Rebecca Evans AS/MS

Cabinet Secretary for Economy, Energy and Planning
Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio