

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 29 May 2002
Time: 2.00 to 4.45 pm
Venue: Committee Room 3, National Assembly Building

WELSH ASSEMBLY GOVERNMENT

PUBLIC HEALTH ISSUES AND THE PLANNING SYSTEM

Purpose

1. To inform the Committees of work underway to ensure that public health implications of proposed development are addressed during the planning process.

Background

2. Particular issues were raised in relation to building schools on former

landfill sites in the statement of the Children's Commissioner (reported to the Children and Young People's Cabinet Sub-Committee (CSCCYP)(01-02)9, January 2002). Other matters of concern have been raised in relation to a number of types of development (for example development on contaminated land and waste facilities), and by recent planning applications. The CSCCYP has received 2 reports on the issue of public health and planning, and has agreed the timetable for initial work.

3. The issues which are raised are complex, but we need to find practical

means of ensuring that public health implications of proposed development are dealt with appropriately by the planning process. Consideration needs to be informed by the best available scientific information. Means need to be found of translating that into a practical tool for informing planning decision making; and for doing so in a way that increases peoples' confidence in the planning system.

4. For legal reasons planning decisions need to be made on the basis of

planning considerations. They are already informed by a range of assessments. Our aim should be to ensure that these cover health issues and concerns without imposing an impossible burden on either applicants, local planning authorities or consultees. Where there are parallel consent regimes it will be important not to duplicate effort, but to ensure that – as far as possible – the processes are integrated, and efficient, and use at least some of the same information.

5. Consultation has taken place recently on proposals to improve delivery of the planning system [consultation on "Planning: delivering for Wales" closed on 29th April and analysis of responses is in progress]. Further work is needed to:
 - i. consider how public health advice is currently considered by the planning system and how potential impacts on people's health should be taken into account in future;
 - ii. respond to calls for the potential health impacts of developments to be given greater consideration by the planning system; and
 - iii. consider the implications of, and for other policy areas and consenting regimes (eg integrated pollution prevention and control - IPPC).

Agreed Timetable

2. At their meeting on 4 March, CSCCYP agreed that the first phase of work on public health and planning procedures would be completed by the end of 2002. Key milestones are:
 - 14/01/02 - report to Cabinet Sub-Committee on Children and Young People
 - 01/02/02 - "Planning: delivering for Wales" issued for consultation. The consultation document includes
 - options for improving scrutiny of planning applications in which local authorities have an interest; and
 - discussion of means of ensuring consideration of health risks and health concerns relating to development proposals including issue relating to statutory consultees.
 - 04/03/02 - report on scope of, and background to, the work needed and projected time-scale to Cabinet Sub-Committee on Children and Young People, and subsequently to Cabinet as necessary
 - 26/04/02 – establishment of Steering and Task Groups of officials to take the necessary work forward

- 29/04/02 - consultation closed on "Planning: delivering for Wales"
- 31/05/02 - by this date, reports to Environment Planning and Transport and Health Committees re the proposed work programme and time-scale
- 31/12/02 - submission of initial proposals on ways of improving consideration of health risks and health concerns by the planning system to Cabinet by this date

Note:

The Chief Medical Officer's Expert Panel is expected to meet in September 2002 and to provide inputs to this work. Draft "Better Health Better Wales 2" also refers to this work.

Action for Committee:

2. To note the proposed work programme and time-scale.

Compliance

1. The Assembly has responsibility for health, environmental protection and planning policy for Wales. Proposals brought forward as a result of work on this project will be considered individually in relation to compliance issues.
2. Representation on the Steering Group and Task Group has been chosen to include those Groups and Divisions directly and indirectly concerned with the outcome and implications of the project. External guidance on aspects of the project is being sought from an academic with practical experience of the issue (Dr Jon Talbot, NEWI), the Environment Agency and local government (WLGA nominee being sought). It is also planned to seek specialist input from Welsh Development Agency Land Reclamation Unit.
3. Section 304 of the Town and Country Planning Act 1990 provides the power to undertake research and has been transferred to the Assembly under the Transfer of Functions Order 1999. The Assembly has power to do anything incidental to the exercise of its statutory functions (Section 40 Government of Wales Act 1998). This power has also been delegated to you and to staff. There are no issues of regularity or propriety.

Financial Implications

1. **Programme budget** – some research will be necessary. The planning element of this will be funded from existing allocations in the Wales Planning Research

Programme. The implications of any other research will need to be assessed by other Divisions.

2. **Staff** – This is a major new area of work for which extra resources are being sought from within the DRC allocation.

Sue Essex AM
Minister for Environment

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