



Llywodraeth Cymru
Welsh Government

WRITTEN STATEMENT BY THE WELSH GOVERNMENT

TITLE Welsh Government Detailed Response to the Law Commission's Report on Planning Law in Wales

DATE 10 November 2020

BY Julie James MS, Minister for Housing and Local Government

The Welsh Government asked the Law Commission for England and Wales to undertake a detailed review of planning law in Wales, with the aim of recommending ways in which the legislation could be simplified and consolidated.

In May 2019, I issued an interim Government response to their Report *Planning Law in Wales*. That response focused on Part 1 of the Report which covered the Law Commission's views on the need to simplify and consolidate planning law, the case for a planning code and the scope of the initial consolidation exercises, which can be accessed at: <https://gov.wales/interim-response-law-commission-report-planning-law-wales>.

Today, I am pleased to have issued and published the Welsh Government's detailed response. This focuses on Part 2 of the Report, setting out the Government's position on each of the 192 recommendations made by the Law Commission to simplify and consolidate the legislation on all aspects of the planning system.

The detailed response can be accessed at: <https://gov.wales/detailed-response-law-commission-report-planning-law-wales>.

Having carefully considered the recommendations, I have accepted the majority of them. I believe they will result in improvements to address the accessibility and complexity of the current legislative framework underpinning the planning system, and the resulting difficulties that can frustrate the system for all stakeholders, as highlighted in the Report and recognised by the Government. For those recommendations that I have accepted in principle, whilst I mostly agree with the aims of the recommendations, I believe they will require further development and consideration by officials during the exercise of drafting new statutory provisions.

As the majority of the recommendations we will be taking forward constitute minor technical reform to aid consolidation and simplification of the law, it is anticipated that a Planning Consolidation Bill will be the main delivery mechanism for them. However, the extent to

which the recommendations can be taken forward through a consolidation exercise will ultimately be decided by the final form of a suitable Standing Order for consolidation Bills which is currently being considered by the Business Committee of Senedd Cymru.

It is clear that the review undertaken by the Law Commission provides a detailed and robust evidence base to support the consolidation and simplification of planning law. On this basis, and as indicated in the First Minister's legislative statement on 15 July 2020, the Counsel General and I have advised officials to continue the preparation and drafting of the Planning Consolidation Bill, given the significant benefits it will bring to all stakeholders and the urgent need for it demonstrated by the Report. It will also enable the Bill to form an important part of the formal programme to improve the accessibility of Welsh law required by the Legislation (Wales) Act 2019, which will be a matter for the Government of the next Senedd term.

On behalf of the Welsh Government, I am placing my thanks to the Law Commission on record for the significant work undertaken and their cooperation with all stakeholders who have contributed towards the success of this review of planning law in Wales. I am also pleased that they will continue to work with us during the preparation of the Bill in order that we can all continue to benefit from their knowledge and experience in this area of law.