



Department for Levelling Up,
Housing & Communities

Policy Statement

Improving the Performance of the NSIP planning process
and supporting Local Authorities



© Crown copyright, 2022

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

This document/publication is also available on our website at www.gov.uk/dluhc

If you have any enquiries regarding this document/publication, email correspondence@levellingup.gov.uk or write to us at:

Department for Levelling Up, Housing and Communities
Fry Building
2 Marsham Street
London
SW1P 4DF
Telephone: 030 3444 0000

For all our latest news and updates follow us on Twitter: <https://twitter.com/luhc>

August 2022

Contents

Introduction	4
Innovation and Capacity building for Local Authorities affected by NSIPs	5
Wider improvement to the Development Consent Order process	6
Annex A: Innovation and Capacity fund – Project Summaries	7

Introduction

Faster, better, greener delivery of major infrastructure is essential to support our economic growth, connectivity between places, essential utilities, energy security and Net Zero. It needs to support our ambitions for levelling up and to enhance and protect the environment. The Nationally Significant Infrastructure Planning (NSIP) Development Consent Order (DCO) system is the process by which local people are consulted and development receives consent, ensuring infrastructure is delivered in ways which contribute to our ambitions for levelling up and to enhance and protect the environment. Through the Levelling-up and Regeneration Bill, the Government will take legal powers to improve this system. We are also announcing funding to ten local authority projects to support innovation and to ensure the needs of local communities are better reflected in the process. Our amendments to the Levelling-up and Regeneration Bill will, when enacted, enable:

- **Fast track consenting:** a power which will enable the relevant consenting department Secretary of State to set a shorter statutory timeframe for a DCO examination. This enables the establishment of a fast-track consenting route for cases where quality standards are met. In the British Energy Security Strategy, the Government committed to a range of measures to reduce consent time for Offshore Wind Projects from up to four years down to one year. The Government will consult on quality criteria, underlying regulations and guidance changes, later this year. This amendment will be laid on 30th August 2022 for debate at Commons Committee stage of the Bill.
- **Faster post-consent changes:** a power for the Secretary of State to set secondary legislation relating to the decision-making process associated with Non-Material Change applications. At present, changes to consents which are deemed non-material can take up to 16 months to be determined and sometimes cause significant delays to delivery. This legislation will enable government to develop and pilot an improved, faster approach, bringing in statutory timeframes if necessary. This amendment will be laid on 30th August 2022 for debate at Commons Committee stage of the Bill.
- **Charging Developers for expert input:** enabling powers so that government agencies which provide technical expert advice on DCO applications will be able to charge developers for their NSIP services, across the statutory and non-statutory parts of the process. Capacity issues in key statutory agencies can create delay. The Government will consult on our approach to implementing charging frameworks later this year. This amendment will be published for consideration at Commons Report stage of the Bill.

Innovation and Capacity building for Local Authorities affected by NSIPs

Local Authorities play an essential role in the NSIP process. They represent the needs and views of local people, deliver local impact reports, work with developers to ensure development will benefit local people and economies, ensure plans are integrated with local infrastructure, and are often responsible for monitoring compliance with planning requirements once development begins. Through the Department for Levelling Up, Housing and Communities Innovation and Capacity fund, we are funding 10 projects in local authorities which will be particularly affected by applications for major transport, energy and water schemes over the next year. Following a fair and competitive tender process, the following local authorities were successful in securing funding to explore a range of ways of improving the process:

1. Cambridgeshire County Council
2. Crawley Borough Council
3. Cumbria County Council
4. Eden District Council
5. Essex County Council
6. Hinkley and Bosworth Borough Council
7. Norfolk County Council
8. Selby District Council and North Yorkshire County Council (joint bid)
9. Somerset County Council
10. Suffolk County Council, on behalf of the district and county councils in Norfolk, Suffolk, Essex, Cambridgeshire, Hertfordshire, and Bedfordshire

Wider improvement to the Development Consent Order process

The NSIP planning system was created under the Planning Act 2008, to establish statutory timescales and a 'one stop shop' DCO process for major infrastructure, with decisions being made by the relevant Secretary of State (for Energy, Transport, Environment or Levelling Up). Since its first decision in 2011, the system has considered 113 major transport, energy, and wastewater infrastructure projects. Prior to the NSIP system major infrastructure projects took significantly more time to go through the planning process, for example Sizewell B nuclear power station took 7 years to be consented. In comparison Norfolk Boreas, which was consented in 2021, took 2 and a half years from application submission to its DCO being granted.

In the National Infrastructure Strategy (2020) (NIS) the government committed to a cross-government NSIP Reform Programme with the ambition to speed up timescales by up to 50% for some projects entering the system from September 2023. In 2021, we conducted an Operational Review of the NSIP process, hearing from over 130 users and groups about potential for improvement. We also invested in project acceleration pilots and workshops to explore how processes could be improved. Responses came from a range of perspectives including local authorities, community groups, promoters of infrastructure, statutory consultees, environmental Non-Governmental Organisations, professional bodies and practitioners with a range of expertise.

The measures set out above are key steps towards improvement of the performance of the DCO system. They will allow projects submitting their applications from September 2023, to benefit from a fast-track route if the qualifying criteria being developed are met. They will ensure the system has the resilience to respond to the increasing pipeline of major infrastructure projects while delivering faster consenting for some projects without compromising on environmental or community outcomes. The Nationally Significant Infrastructure Planning Reform Programme is also taking forward several other actions to improve the system, including reviews of the Energy and National Networks National Policy Statements. Work to create a new system of Environmental Outcome Reports which will streamline and improve transparency of environmental assessment is also being taken forward through the Levelling Up and Regeneration Bill. The Government intends to publish a full NSIP Reform Action Plan, as well as consultations on national policy statements and on further regulatory and guidance changes to improve the operation of the system, over the coming months.

Annex A: Innovation and Capacity fund – Project Summaries

Bid Overview	Summary of project
<p>Applicant(s): Somerset County Council, South Somerset District Council, Somerset West and Taunton</p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): A358 Taunton to Southfields</p> <p>Funding Offered: £87,500</p>	<p>Governance project which embeds a 3-stage verification and mediation process to save time and resource for LAs, the applicant and PINS. Structure includes a Strategic Review Group to mediate between individual authorities and the applicant and a working group to provide operational oversight of the workstreams.</p>
<p>Applicant(s): Cumbria County Council</p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): A66 Northern Trans-Pennine Project</p> <p>Funding Offered: £60,000</p>	<p>Contributing to speed and green: To enable the Council to resource innovative, focused approaches to the planning and green aspects of the A66 Northern Trans-Pennine project and to prepare a “guide-book” for other LAs. This will build on a series of work packages developed through the pre-application stages of the project aimed at adding value to the NSIP application process including:</p> <ul style="list-style-type: none"> • Biodiversity Net Gain (BNG) • Flood alleviation and design principles for drainage and flood risk • Use of local materials to enhance landscape • Legacy and community benefits including re-use of construction compounds, worker accommodation strategy, and economic opportunity (<i>e.g. skills and supply chain</i>).
<p>Applicant(s): Essex County Council</p> <p>Project Type: Capacity</p> <p>Sector: Energy</p> <p>NSIP(s): Bramford to Twinstead Power Connection, Longfield Solar Farm</p> <p>Funding Offered: £90,000</p>	<p>Embedding project management in process through use of a dedicated project manager and a digital project management tool which helps Essex County Council with:</p> <ul style="list-style-type: none"> • Planning and tracking projects • Team resource management • Collaboration in real time • Assigning key tasks and deadlines • Uploading information, responses, minutes, etc. • Project progress updates • PPA budget management and invoicing.

<p>Applicant(s): Suffolk County Council, on behalf of the district and county councils in Norfolk, Suffolk, Essex, Cambridgeshire, Hertfordshire and Bedfordshire</p> <p>Project Type: Innovation through tools (digital)</p> <p>Sector: Water, Transport and Energy</p> <p>NSIP(s): Several NSIPs across the East of England</p> <p>Funding Offered: £45,000</p>	<p>To create a virtual NSIP Centre of Excellence for the Eastern Region which includes:</p> <ul style="list-style-type: none"> • Setting up and run a regional virtual CPD programme to upskill staff in topics relevant to the NSIP process; • Offering virtual seminars for Councillors of the local authorities to explain the processes and key points of political interface within the process; • Sharing lessons learnt between local authorities within the region; • Sharing useful tools, templates, information about e.g. environmental consultants used; • Offering peer reviews for NSIP projects to other LAs within the region.
<p>Applicant(s): Hinckley and Bosworth Borough Council</p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): Hinckley national Rail Freight Interchange</p> <p>Funding Offered: £90,000</p>	<p>To engage a Capacity and Programme Board with Senior Officers at Hinckley and Bosworth Borough Council which facilitates joint working between relevant authorities and promoters and supports outcomes including drafting of program and cost profiles, writing technical guidance notes and improving approaches to joint working on DCOs.</p>
<p>Applicant(s): Eden District Council</p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): A66 Northern Trans-Pennine Project</p> <p>Funding Offered: £60,000</p>	<p>Contributing to speed and green: The innovative approach National Highways are adopting involves developing a draft Environmental Management Plan (with LA involvement/engagement and consultation) during the examination of the A66 Northern Trans-Pennine project. This takes work on detailed scheme design addressing many of the key areas beyond the formal points LA of engagement in the DCO process and after the Adequacy of Consultation and Local Impact Report submission. Eden District Council wishes to support and test the innovations proposed to confirm potential timesaving approach.</p>

<p>Applicant(s): Selby District Council & North Yorkshire County Council</p> <p>Project Type: Innovation through tools</p> <p>Sector: Energy</p> <p>NSIP(s): Helios Renewable Energy Project, Yorkshire GREEN, Drax Bioenergy with Carbon Capture and Storage Project, Humber Low Carbon Pipelines</p> <p>Funding Offered: £52,000</p>	<p>Development of a multi-disciplinary environmental framework which helps bring forward multiple NSIPs in a single location through developing a framework which sets out the LA requirements for submitting a DCO including Landscape, Biodiversity, Environmental Health and Heritage scheme for the area which could be used by the Promotor, Local Authority and PINS at application and examination stage.</p> <p>Project includes setting out the policy context, design principles, relationship with EIA environmental baseline (including sensitivity mapping for landscape and historic environment), sources of information, tools and methods of assessment (including cumulative impact), opportunities for mitigation and enhancement, monitoring environmental effects.</p>
<p>Applicant(s): Cambridgeshire County Council</p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): East West rail – Bedford to Cambridge and Western Improvements</p> <p>Funding Offered: £90,000</p>	<p>To develop a shared model/centre of excellence for managing NSIPs through collaboration with others, use of PMO resource and a Knowledge Centre.</p>
<p>Applicant(s): Crawley Borough Council <i>(on behalf of several authorities)</i></p> <p>Project Type: Innovation through resourcing</p> <p>Sector: Transport</p> <p>NSIP(s): Gatwick Airport Northern Runway</p> <p>Funding Offered: £90,000</p>	<p>Funding for consultants to aid in development of a virtual network of individuals with experience in particular schemes (airports) and provides access for multiple authorities to specialist external advice and better NSIP coordination.</p>

<p>Applicant(s): Norfolk County Council</p> <p>Project Type: Innovation through tools (digital)</p> <p>Sector: Energy</p> <p>NSIP(s): Extension to Sheringham Shoal and Dudgeon Wind Farms, Fens Reservoir Project, East Anglia GREEN, Hornsea Project Three, Norfolk Vanguard, Norfolk Boreas and several road schemes</p> <p>Funding Offered: £90,000</p>	<p>Funding to develop and build a virtual workflow management system or 'dashboard' which develops Sharepoint technology to log information about NSIPs including timelines, deadlines, developer contacts and meetings which is accessible by LAs and promoters for interactive working.</p>
--	---