

Cynulliad Cenedlaethol Cymru / National Assembly for Wales
Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol a'r Pwyllgor Materion Allanol a
Deddfwriaeth Ychwanegol / The Constitutional and Legislative Affairs Committee and
the External Affairs and Additional Legislation Committee
Ymgynghoriad ar Fil yr Undeb Ewropeaidd (Ymadael) a'i oblygiadau i Gymru / The
European Union (Withdrawal) Bill and its implications for Wales
EUWB 18
Ymateb gan Sefydliad Cynllunio Trefol Brenhinol yng Nghymru / Evidence from the
Royal Town Planning Institute Cymru

Dear Sir/Madam,

Response to: **The European Union (Withdrawal) Bill and its implications for Wales**

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 24,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

RTPI Cymru welcomes this opportunity to respond to the Constitutional and Legislative Affairs Committee and the External Affairs and Additional Legislation Committees on their inquiry into the European Union (Withdrawal Bill) and its implications for Wales. We responded to the consultations on the [Great Repeal Bill and Implications for Wales](#), the [Call for evidence on the implications for Wales of Britain exiting the European Union](#) and the [Wales Bill](#)

Our comments in relation to the terms of reference for this Inquiry are set out below:

RTPI Cymru supports the wish already expressed by the Welsh Government that powers being repatriated to the UK from the European Union (EU) should wherever appropriate be transferred directly to the devolved administration, reflecting existing devolution arrangements. This should be done in ways that are straightforward and legally sound to avoid any future challenges.

RTPI Cymru considers the top priorities in relation to planning and the profession likely to be affected by the exit of the UK from the EU to be: environmental regulation, impact on major projects, employment and skills, university research opportunities, the range of funding to support regional development and research, including the European Structural Funds and research funding, partnership opportunities, and the impact of uncertainty on development. The RTPI has responded in depth on the impact of the UK leaving the EU on planners and planning across the UK. Our position on the UK impact is available on our website: <http://www.rtpi.org.uk/briefing-room/planning-for-brexite/>

The influence of the EU on planning practice has been largely through Directives, which are transposed into legislation within the UK nations. These remain law unless the UK parliaments/assemblies remove them. Concern has been expressed about some environmental legislation. As regards wildlife the UK had strong legislation before 1973 and has strong lobbies in support of this. The situation around climate change is arguably more complex.

The Birds and Habitats Directives, the Environmental Impact Assessment and Strategic Environmental Assessment Directives, and the Water and Waste Framework Directives are often cited as the one tranche of legislation that directly affects planning.

Planners will need to play a part in ensuring that whatever follows from these for Wales and the UK do not represent a lowering of environmental standards and are in some way pegged to the best international standards. There is a great potential role for Wales and the UK in leading on environmental standards in the future.

These are examples of legislation that should be transferred to the devolved Nations. The EU has set a target to reduce emissions by 20% by 2020 (from 1990 levels), and European leaders have committed to further emission reductions of 80-95% by 2050. The EU has produced a low carbon roadmap, which shows how this could be achieved. In 2008 the UK established the Climate Change Act which commits the UK to making an 80% emissions reduction by 2050. An interim target of 56% by 2030 was set in 2016. The UK was also part of a wider European pledge to reduce emissions at COP21. The UK has made progress on reducing emissions from the power sector, but lacks sufficient policies and mechanisms to continue this progress or broaden it to other sectors of the economy like housing and transport.

The Renewable Energy Directive (RED) sets a target to provide 20% of European energy from renewables by 2020, with a target of 10% of final energy consumption in the transport sector. Renewables here include biomass, wind power, solar power, hydropower, and geothermal energy. Following RED, the UK set an overall renewables target of 15% by 2020, comprising 30% from renewable electricity, 12% from renewable heat and 10% from renewable transport. The UK has made good progress on the electricity target, but is not on course to meet targets for heat and transport. It is important that these targets are retained after leaving the EU.

The Energy Efficiency Directive (EED) sets a target to increase energy efficiency by 20% by 2020 (from 2007 levels) and requires Member States to set legislation which supports this. The Commission has proposed to increase this target to 30% by 2030. The European Performance of Buildings Directive (EPBD) also requires all new homes to be 'nearly zero - energy' by 2020. It is unclear whether these targets will continue after leaving the EU, but it is important that they do.

The Department for Business, Energy and Industrial Strategy (BEIS) has committed to publishing an Emissions Reductions Plan. This needs to set out how the UK will boost renewable energy deployment in the heat and transport sectors, improve the energy efficiency of new and existing buildings, and meet the emission reduction targets for all sectors of the economy as required by the UK Climate Change Act. The Climate Change Strategy for Wales sets out to reduce greenhouse gas emissions in Wales by 3% every year and achieve at least a 40% reduction by 2020 compared to figures from 1990. The Strategy also provides key UK and EU policies and wider contributions.

Other issues to be considered will be the effect of the exit on EU Common Agricultural Policy and its attendant subsidies to UK farming and the impact on rural land management, rural land values and rural economies. Also with regard to exiting the Common Fisheries Policy,

consideration will need to be given to what, if any, impact there will be on marine spatial plans and the economies of areas dependent on fishing.

The RTPI has recently joined a coalition of eleven national organisations to call on the Government to act on pressing rural issues such as the lack of affordable housing and much reduced local services. A [statement issued by the Rural Coalition](#) highlights the importance of policy decisions in relation to the UK leaving the EU to be rural proofed to ensure that they meet rural needs.

These issues highlight the need for strategic spatial planning in Wales, as proposed by the Planning (Wales) Act 2015. Strategic planning enables an approach which can cover a wide range of areas of public policy and encourages effective cooperation for planning across boundaries. The general principles of strategic planning are a valuable focus at a time when there are many uncertainties, requiring us to consider environmental objectives, long term economic benefits, as well as the need for a high quality of life, which are all key contributors to economic competitiveness.

Planning is about implementing a positive vision of a sustainable future and so the planning system has an important role to play in delivering the right developments in the right place at the right time. The Institute has been advocating an approach of subsidiarity in its policy work across the UK and Ireland. While planning is a devolved matter in Wales, there are a number of issues which have an impact on planning that are not fully devolved.

Given this we have set out below 10 principles that we ask decision makers to adopt that would help planners working to help deliver better places.

The proposed principles are:

Subsidiarity – that any new powers are vested in, and exercised, at a level that will be most effective in supporting all parties to deliver better places. These levels include UK, Wales, the city regions, Local Authorities and Town and Community Councils/communities.

Coordination – that any powers support and complement the ability to coordinate approaches to planning across the borders within the UK, and across the UK's external borders, and consider and support joined up consenting regimes that affect, for example, planning for renewables, marine areas and infrastructure.

Appropriateness – that any new powers allow each nation's Governments and its partners to develop specific approaches to tackle their country's specific needs where this is appropriate.

Resourced – that all new and existing powers are properly resourced to ensure their effective implementation.

Aligned - that any new powers complement and do not contradict or 'get in the way' of other powers that are devolved.

Engagement – that any new powers are consulted upon and that each individual Government works with its delivery partners in assessing how best to make them work.

Spatial – that any new powers are examined in terms of how they will impact on the different geographies of Wales so as to promote better integrated approaches. Too often subsequent policy approaches are programme or silobased.

Monitored – that the implementation of any new powers is monitored to check on their effectiveness.

Sustainable – any new powers should be used to support the overarching principles of sustainable development, in line with the Well-being of Future Generations Act 2015.

Long term – any new powers should be drafted to ensure that they support longer term plans, ambitions and aspirations for Wales. They cannot be focussed on merely providing short term fixes.

If you require further assistance, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at walespolicy@rtpi.org.uk