

PLANNING FOR A SUSTAINABLE FUTURE: WHITE PAPER

Introduction

1. On Monday 21st May, the Government issued a White Paper setting out proposals to streamline the planning system. The White Paper builds on and takes forward Kate Barker's and Rod Eddington's proposals for reform of major infrastructure planning. The White Paper is out to consultation until 17th August, and can be found, together with a summary, accompanying papers and a list of questions, on the Communities and Local Government website at: <http://www.communities.gov.uk>
2. Government's intention is that the proposals in the White Paper should be fully in place in, if not before, 2009. This paper provides a summary of the proposals contained in the White Paper insofar as they relate to nationally significant infrastructure projects.

Background

3. For many years the Liaison Group has expressed concern about the inefficiencies of the planning system when consideration is being given to major infrastructure developments at airports. Some delegates may recall that in 1992, John Adshead, Chairman London City Consultative Committee, presented to the Annual Meeting a paper suggesting a shorter planning procedure for airport development at the public inquiry stage. A copy of that paper is reproduced in Annex A.
4. The Government and industry have also recognised for many years that the current process can take too long to deliver decisions, impose substantial costs on all parties, and generate large amount of uncertainty. The planning process for Heathrow's Terminal 5 (T5) is a good example of many of the problems with the current system – it took more than 7 years from the date the planning application was made to the decision being issued. This delay meant that in the time taken to consider and start constructing T5, Schiphol Airport in the Netherlands and Charles de Gaulle Airport in Paris both increased their capacity with runway expansion and terminal capacity improvements. This delay means that the UK airports may lose business to EU competitors, as well as risking imposing extra costs on UK businesses.
5. To help it understand how the planning system could best respond to some of the key challenges of the future, the Government commissioned Kate Barker to consider how, in the context of globalisation, and building on the reforms already put in place in England, planning policy and procedures could better deliver economic growth and prosperity in a way that is integrated with other sustainable development goals.
6. The Government also asked Rod Eddington, who had been commissioned to advise on the long-term links between transport and the UK's economic productivity, growth and stability, to examine how delivery mechanisms for transport infrastructure might be improved within the context of the Government's commitment to sustainable development.

Barker Review of Land Use Planning

7. The Government announced in the 2005 Pre-Budget Report that Kate Barker had been asked to lead an independent review of land use planning, focusing on the link between planning and economic growth. The final report for the review was published on 5 December 2006 and is available on the Department for Communities and Local Government¹ website along with a link to a statement made that day by the Secretary of State. The Barker Review concluded that 'planning

¹ HM Treasury and Communities and Local Government (2006). *Barker Review of Land Use Planning: Final Report – Recommendations*. This can be found at www.communities.gov.uk/index.asp?id=1504875

is a valued and necessary activity' and welcomed the progress that had been made with reforms to date. However, Kate Barker recognised that the context for the planning system was becoming ever more challenging and suggested that its responsiveness and efficiency could be improved. She recommended further wide-ranging reforms, building on recent changes and the plan-led approach, to improve the way that the planning system supports economic prosperity while maintaining or enhancing the delivery of other objectives, including ensuring community involvement, supporting local democracy and protecting and enhancing the environment.

The Eddington Report

8. In the 2005 Budget Sir Rod Eddington was jointly commissioned by the Chancellor of the Exchequer and the Secretary of State for Transport to examine the long-term links between transport and the UK's economic productivity, growth and stability, within the context of the Government's broader commitment to sustainable development. The Study was issued in December 2006 to accompany the 2006 Pre-Budget Report. The report and other related material is available on the DfT's website². One of Rod Eddington's recommendations in was reform of the process of planning for major transport infrastructure schemes to improve efficiency and predictability without compromising fairness. Kate Barker's Review considered these proposals in a wider planning context and recommended comprehensive reform of the planning of nationally significant infrastructure projects in relation to transport, energy, water supply and waste, based on the same principles.

The White Paper

9. It is a wide ranging White Paper which supports the existing plan led system but argues for streamlining and rationalisation of it to increase its responsiveness to make it fit to tackle new challenges in the 21st century.

10. The paper outlines the key challenges as:

- climate change
- supporting sustainable economic development
- increasing the supply of housing
- protecting and enhancing the environment and natural resources
- improving our local and national infrastructure
- maintaining security of energy

11. The paper also highlights the current problems in the planning system as:

- national policy is not sufficiently clear and responsive
- the planning system is too bureaucratic, takes too long and is unpredictable – the length of time taken to deal with major infrastructure projects is particularly highlighted
- individuals and communities find it difficult to be heard – the current system does not lend itself to public involvement
- planning systems are confusing and unclear
- decisions are not always taken at the right level – government wishes to reduce the number of decisions taken by the Secretary of State. It also argues that local decision making may not be the best solution for complex applications that span local authority areas or which confer national or regional benefits and local disbenefits.

12. Taking on board the recommendations from the Barker and Eddington Reviews the Government has identified five core principles that underpin its proposals:

² HM Treasury and Department for Transport (2006), *The Eddington Transport Study*. This can be found at www.hm-treasury.gov.uk/independent_reviews/eddington_transport_study/eddington_index.cfm

- planning must be responsive, particularly to longer terms challenges such as increasing globalisation and climate change, and properly integrate our economic social and environmental objectives to deliver sustainable development;
- the planning system should be streamlined, efficient and predictable;
- there must be full and fair opportunities for public consultation and community engagement;
- the planning system should be transparent and accountable;
- planning should be undertaken at the right level of government – national, regional and local.

13. The issue of key interest to airport consultative committees is in relation to nationally significant infrastructure decisions.

Nationally significant infrastructure projects and national policy statements

14. For key national infrastructure such as major airport and port projects, improvements to the Strategic Road Network, major new power generating facilities and facilities critical to energy security, and major reservoir and waste water plant works, the Government proposes to replace the multiple existing consent regimes with a new system. The Government believes that this will enable decisions on infrastructure to be taken in a way that is timely, efficient and predictable. In particular the Government proposes to:

- produce, following thorough and effective public consultation and Parliamentary scrutiny, national policy statements to ensure that there is a clear policy framework for nationally significant infrastructure which integrates environmental, economic and social objectives to deliver sustainable development;
- provide greater certainty for promoters of infrastructure projects and help them to improve the way that they prepare applications by making better advice available to them; by requiring them to consult publicly on proposals for development; and by requiring early and effective engagement with key parties such as local authorities, statutory bodies, and relevant highway authorities;
- streamline the decision making process, and achieve a clear separation of policy and decision making by creating an independent commission to take the decisions on nationally significant infrastructure cases within the framework of the relevant nationally policy statement;
- improve public participation across the entire process by providing better opportunities for public consultation and engagement at each stage of the planning approval process; improving the ability of the public to participate in inquiries by introducing a specific 'open floor' stage; and, alongside the introduction of new system providing additional funding to bodies such as Planning Aid.

15. National Policy Statements would be the primary consideration for the infrastructure planning commission in determining applications for development consent. Approval of applications would be given if the aim of a nationally significant project was consistent with the national policy statement, unless adverse local consequences outweighed the benefits, including national benefits identified in the national policy statement. Adverse local consequences, for these purposes, would be those incompatible with relevant EC and Domestic law, including human rights legislation. It is intended therefore that national policy statements would include certain core elements such as:

- Government objectives for the development of nationally significant infrastructure;
- How this could be achieved in a way that integrated economic, environmental and social objectives to deliver sustainable development;
- A sustainability appraisal to ensure that the potential impacts of the policies they contain have been properly considered;

- How the Government's objectives integrate with other specific government policies;
 - Show how actual and projected capacity and demand are to be taken into account in setting the overall policy for infrastructure development;
 - Consider relevant issues in relation to safety and technology;
 - Indicate any circumstances where it was particularly important to address adverse impacts of development;
 - Be as location specific as appropriate, in order to provide a clear framework for investment and planning decisions.
16. It is noted that the Government will produce national policy statements for key sectors (transport, energy, water, wastewater and waste infrastructure projects above statutory thresholds) to ensure that there is a clear policy framework for decisions on nationally significant infrastructure. For airports the proposed threshold is "a new tarmac runway or infrastructure that increases an airport's capacity by over 5 million passenger per annum".
17. It is also noted that the Statements are likely to have a timeframe of 10-25 years, depending on the sector, and would be reviewed every 5 years to ensure they are kept up to date.
18. The White Paper states that the Government is committed to ensuring thorough and effective consultation before policy statements are finalised and adopted. It proposes that, as ministers would no longer be taking decisions on individual applications, draft national policy statements should be subject to Parliamentary scrutiny, although the most appropriate mechanisms for ensuring Parliamentary scrutiny have yet to be decided. It is also proposed that there will be an opportunity to challenge a national policy statement, or the process of developing it, when it had been published and that this opportunity would be set out in legislation. The opportunity to challenge would be open to any member of the public or organisation likely to be affected by the policy.

Independent Infrastructure Planning Commission

19. So as to clarify the decision making process and achieve a clear separation of policy and decision making the Government intends to create an independent infrastructure planning commission to take the decisions on nationally significant infrastructure cases. The commission would comprise well respected experts, drawn from a range of fields. It would take charge of the development consent process for nationally significant infrastructure projects, and take the final decision as to whether permission should be granted.
20. The Commission would approve any application for development consent for a nationally significant infrastructure project which had main aims consistent with the relevant national policy statement, unless adverse local consequences outweighed the benefits, including national benefits identified in the national policy statement. The Commission would, where it approved an application, specify any conditions, such as mitigation measures, that the promoter would have to comply with.
21. Ministers would have no role in taking decisions on whether to approve individual applications for development consent for these national infrastructure projects. The Government proposes to create a single application process for all of the development authorisations needed for nationally significant infrastructure projects. Speed, quality and accessibility of the procedure for examining the applications will also be improved. The Commission will be able to gather the majority of evidence in writing, probe it by means of direct questioning rather than relying on cross examination by opposing counsel and imposing statutory time limits on the entire process.
22. There would be opportunities for public consultation and engagement at each of the three stages of the new regime.

Stage 1 - there would be thorough and effective public consultation on each national policy statement allowing scrutiny and debate on the Government's proposals for infrastructure development.

Stage 2 - promoters would then be required to consult the public on the detail of their particular proposal, taking account in particular of the need to ensure local communities were properly engaged in proposals which directly affected them. The Commission would also need to be satisfied that such consultation had been properly carried.

Stage 3 - there would be improved processes to ensure that communities and individuals could participate fairly in inquiries on specific projects. Clear processes would be set out for inquiries including clear timescales, ensuring that hearings were less adversarial, and providing opportunities, including through a specific open floor stage, for the public to participate at inquiries.

23. The Government claims that proposed approach will enhance the transparency of the process by establishing a clear separation between policy making and taking quasi-judicial decisions in relation to infrastructure projects. It also claims that this would streamline the process by ensuring that the examination and decision phases are as joined up as possible, and it would ensure high quality decisions because experts from a range of specialisms would be involved.
24. In terms of the scale of work, the thresholds for applications to the commission are high. The Government expects the commission to consider around 10 major infrastructure projects a year as well as a larger number of less complex cases. The estimated cost of setting up the commission is in the order of £4 million, and the estimated annual costs of operating it are in the order of £8.8 million.

Options considered before the publication of the White Paper

25. The Government has published a Partial Regulatory Impact Assessment (RIA) of the proposals to accompany the publication of the White Paper. The RIA sets out the three options that were considered in the development of the White Paper. An extract from the RIA giving details of the options is reproduced in Annex B. The Liaison Group is asked to consider whether the Government has taken forward the right option.

Consultation Questions

26. The Consultation Document puts forward a number of questions for consultees to consider. Those questions of particular interest to airport consultative committees are:

Do you agree that there is a strong case for reforming the current system for planning nationally significant infrastructure?

Do you agree, in principle, that the overall package of reforms proposed here will achieve the objectives that we have set out?

If not, what changes to the proposed reforms or alternative reforms would you propose to better achieve these objectives?

Do you agree that national policy statements should cover the core issues? And are there any other criteria that should be included?

Do you agree, in principle, that national policy statements should be the primary consideration for the infrastructure planning commission in determining planning applications?

Do you agree, in principle, that these thresholds are appropriate? If not, what alternative thresholds would you propose?

27. It is suggested that the Liaison Group submits a collective response to this important consultation and set out below are some initial thoughts on the a suggested form of response.

Suggested Comments for consideration

28. For many years it has been recognised that the current decision making process is complex and can take too long to deliver decisions, impose substantial costs on all parties and generate large amount of uncertainty leading to planning blight, severely affecting the lives of individuals directly affected by the proposals. If the UK is to retain its pre-eminent position as the hub of world air transportation, which is considered one of the essentials for the economic well-being and growth of the country, the planning process needs to be radically altered so that necessary airport development can proceed without the kind of delays to which it is at present subjected. Although the current planning system helps people debate issues, if the issues are complex, then inquiries take time to balance local and national matters.
29. The benefits of the proposed system for nationally significant infrastructure projects are acknowledged and the proposal to create a more inquisitorial system is to be welcomed. However it is questioned whether the proposed system has struck the right balance between making the process more efficient and retaining public confidence and local involvement in the decision making process. There is much concern already being expressed by local authorities and the public that the new approach will strip democratic accountability out of the system, handing decisions to a centralised and undemocratic body.
30. The change from an adversarial to an inquisitorial, or examining process is to be supported. It is vital however that the new arrangements are limited to a few projects of national strategic significance so that most decisions can still be determined locally. The criteria used to determine nationally significant projects and the interpretation of thresholds will be important to ensure this happens. There must be no confusion as to what constitutes a nationally significant project.
31. The statutory thresholds set must be flexible and depend on circumstances and the degree of difference such a project would have in its locality. For example, in the case of the proposed threshold for airports an infrastructure project that will increase capacity over 5 million passengers per annum, although relevant to regional airports will not be appropriate for the larger airports. As currently drafted the proposed threshold for the larger airports will mean that planning applications the many infrastructure development projects would not be determined locally.
32. The promise of national policy statements on key sectors will be valuable provided they are prepared with appropriate consultation and debate, involving all tiers of regional and local government and affected communities, businesses and environmental and amenity groups.
33. The formation of an independent Infrastructure Planning Commission might help in the delivery of major infrastructure schemes provided the Commission comprises experts from a wide range of fields and that there is a balance of expertise. However there is much concern amongst local authorities because there is a danger that the proposed new approach will strip democratic accountability out of the system, handing decisions to a centralised and undemocratic planning body. Who will the Commission be accountable to? It is also vitally important that the role of the Commission is not seen as a 'rubber stamping' body and that proper account is taken of regional and local issues and impacts when reaching decisions. Opportunities to consult and involve regional and local authorities and other affected persons and organisations must also be maintained. This is considered vital if the public is to retain confidence in the planning system. The new system must therefore only require a few projects being determined by the independent Infrastructure Planning Commission so that local decision making is retained where ever possible.

The views of the Liaison Group are sought.

Paula Street
Secretariat

From: John D. Adshead

Chairman of the London City Airport Consultative Committee and former Deputy Chief in the Planning Inspectorate (Departments of the Environment and Transport and the Welsh Office)

[Note: This paper was presented to the Annual Liaison Meeting of Airport Consultative Committee Chairmen and Secretaries at Belfast International Airport on 26th June 1992. The presentation of the paper was requested as part of the on-going process of trying to ensure that the pre-eminent position presently enjoyed by the UK in the field of international air travel and transportation is not lost to our continental competitors through lack of a coherent air transportation policy and, more specifically in this context, by the present unnecessarily unwieldy and time-consuming planning process.]

A Shorter Planning Procedure for Airport Development at the Public Inquiry Stage

During my working life in the Planning Inspectorate I personally held a number of major inquiries and for the last ten years was very closely involved in the day-to-day running and conduct of the majority of such inquiries. I also took part in a number of meetings and conferences the object of which was to explore ways and means of speeding up the planning process where major public inquiries were involved. Some progress was made but unhappily nothing like enough to overcome the problem of delay inherent in the present system.

Sir John Egan, the Chief Executive of BAA Plc, in his speech to the Airport Consultative Committee Chairmen on 27 June 1991, highlighted his concern in so far as this problem affects airport development, and it is this aspect of the problem that I wish to address in this brief paper.

If this country is to retain its pre-eminent position as the hub of world air transportation, which I am sure everyone recognises is one of the essentials for the economic well-being and growth of the country, the planning process must be radically altered so that necessary airport development can proceed without the kind of delays to which it is at present subjected and which work so greatly to the advantage of our competitors.

Having been involved with so many public inquiries myself, I seriously question what purpose the adversarial system with its expensive and time-consuming court-like examination and cross-examination by professional advocates representing frequently conflicting interests actually serves, and what it really achieves.

I appreciate that those most affected by potentially environmentally damaging airport development must have the right to make their views known to the Secretary of State - but this can be achieved quite simply without the time-consuming efforts of the professional advocates and others on opposing benches questioning and trying to negate much of what is said.

Ideally, I suppose, proposals for major airport developments ought to go through Parliament in the form of Bills as have many infrastructure proposals in the past; and it should be possible to collect the views of those most affected by such proposals either in writing or at non-adversarial hearings. I have no doubt, however, that such a solution would be politically unacceptable given that public inquiries have now become so much a part of the democratic process in this country.

Consequently, I believe that what is required is something between the two; and I am sure that the proper way forward would be to have major proposals looked into at non-adversarial hearings somewhat on the lines of an examination-in-public.

The case for the development would be made in writing and this would be scrutinised in detail by the Inspector and the other members of his panel and then any questions they might have about the proposals or about the validity of the need for them would be put to the proposers by the Inspector at the examination-in-public. Similarly, the written cases for all other parties

would be scrutinised by the Inspector and his panel and then questioned in public by the Inspector as necessary.

The advantage of this inquisitorial system is that it would enable the Inspector to concentrate on the main points at issue, and to probe them himself until he was satisfied that he had all the information he needed, without time-consuming cross-examination which so often causes pointless digressions and frequently amounts to little more than point scoring over the opposition.

The present form of examination-in-public includes the discussion with involved participants of certain selected issues and this aspect of an examination-in-public could, if considered appropriate, form an integral part of the examination-in-public I have in mind, but the main emphasis would be on the inquisitorial nature of the proceedings. Such a system would also protect members of the public from what many of them perceive as, unpleasant, inhibiting and often needlessly aggressive cross-examination by professional advocates.

I realise that many will say that the only way to test evidence is to subject it to cross-examination in public; but I would counter this argument by pointing that much of what is said at public inquiries is not evidence as such but perception and opinion presented in the form of submissions and in my experience it is rare for strongly held views to change under cross-examination directed to this end; and under an inquisitorial system the Inspector and his panel are in a position to, and could and should, do any testing of evidence that is necessary.

At the end of his examination the Inspector would be in a position to write a relatively brief report to the Secretary of State which set out the main points of the proposal together with his assessment and appraisal of each of the main points at issue followed by his conclusions and recommendations.

I appreciate that reports of this kind are now written by Inspectors after major inquiries whenever it is appropriate to do so, but the process of going through the evidence garnered at public inquiries at which there has been lengthy examination and cross-examination can be just as time-consuming as the inquiry itself - and, in my view, a great deal of time now wasted by examination and cross-examination and the extra post-inquiry work it causes could be dramatically curtailed by a change from an adversarial to an inquisitorial, or examining process.

To conclude: I firmly believe that if this country is to keep its pre-eminent position at the hub of the world's air transportation system, all future proposals for major airport developments must be considered in a much quicker and more effective manner on the lines I have suggested.

John D Adshead
MBE MA FRICS FRGS FRSA

Extract from the Partial Regulatory Impact Assessment: Planning for a Sustainable Future

Options

There are three main options.

OPTION A: DO NOTHING

Under this option the existing system for approving nationally significant infrastructure projects would remain the same. The steps involved in approving the construction of projects are as follows:

1. The project promoter decides to submit an application and carries out preliminary work.
2. The promoter applies to the relevant minister or local authority for consent to construct the project. Often a single project will require consents under different legislation so more than one application is usually required.
3. The application is publicised and objections may be lodged.
4. The decision-maker considers the application. The decision-maker is usually a Secretary of State. In some cases applications (eg for major airport projects) can also be made to the local authority, but in practice these are 'called in' to be decided by the Secretary of State.
5. If necessary a public inquiry is held. The Secretary of State delegates responsibility for the inquiry to a Planning Inspector, who will make a recommendation which the Secretary of State will then consider.
6. The decision and any mitigating conditions are announced, and a statutory instrument is made where necessary. This may involve granting a range of consents, conferring powers and amending legislation.
7. Legal challenges can be lodged throughout the process, but cannot be lodged more than three months after the Secretary of State's decision.
8. The local authority enforces development controls and planning conditions.

Within this general approach there are significant variations, as different types of infrastructure projects are approved under different legislative regimes.

OPTION B: NATIONAL POLICY STATEMENTS, BETTER PROJECT DEVELOPMENT AND INDEPENDENT DECISION-MAKING

Option B contains the proposals set out in *Planning for a Sustainable Future*.

Under these proposals responsibility for national policy and for determination of individual applications are separated. The government would produce statements setting out the national policy for different sectors, and an independent infrastructure planning commission would determine infrastructure applications above a specified threshold.

National policy statements would be produced by government following a thorough consultation process. They would provide a clear long-term strategic direction for nationally significant infrastructure development, and would provide the framework for the commission's decisions. Whether a project was needed nationally could therefore be established early on, and would no longer need to be discussed at the commission examination stage.

The commission would weigh the national need, as set out in the national policy statement against the local impacts of individual proposed projects. Where there were local impacts which breached EC and

ECHR law, or where the cumulative local adverse impacts outweighed the local and national benefits, the commission would have powers to refuse a project.

Promoters would develop proposals for infrastructure projects against the background of clear national policy. In this option there would be new legislative requirements which require promoters to thoroughly prepare their application and engage with key parties early on, preventing costly delays later on.

The new commission would advise project promoters and other parties during the project development stage on the application process, procedural requirements and consultation. It would follow propriety rules to ensure these interactions do not prejudice its subsequent decision. The application would be submitted to the commission who would operate using a new, streamlined consent process, which removes the need to apply to multiple decision makers. The commission would examine the application and take evidence according to new inquiry procedures. The majority of evidence would be submitted in writing and the commission would test the evidence through direct questions rather than through cross-examination. There would be an open floor stage for people to give oral evidence directly, and there would be overall time limits on inquiries and decisions.

These proposals for the strategic project development stage and the decision stage should further mean that public hearings would take less time, and be more accessible to members of the public and other interested parties.

Under Option B, there would be three stages in the development consent for nationally significant infrastructure projects process.

Stage 1 – Preparing national policy statements

1. Government develops proposals for national policy, which integrate economic, social and environmental objectives.
2. Public consultation on national policy, including local consultation where policy is location specific.
3. Scrutiny by Parliament.
4. Opportunity to challenge national policy in the courts.

Stage 2 – Project development

5. Promoter identifies a project which would deliver national policy.
6. Promoter explores different project options and gathers information, eg for the purposes of the Environmental Impact Assessment Directive.
7. The commission advises whether the project is likely to fall within its remit.
8. Commission advises on consultation and the information required for an application to be considered.
9. Promoter gathers further information and consults local community and statutory consultees. Statutory consultees must respond within a specified time limit.
10. Promoter consults again on preferred option if two consultations are appropriate.
11. Application submitted to the commission.

Stage 3 – Decision by the infrastructure planning commission

12. The commission confirms that the project is within its remit to determine, promoter's consultation was adequate and the application sufficiently prepared.
13. The commission secures consultation for the purpose of the Environmental Statement and invites representations for its decision process.
14. Written representations submitted, followed by a further possible written exchange of evidence.

15. The commission probes evidence submitted and holds an open floor stage, if necessary.
16. The commission approves or refuses application, and specifies any conditions attached to approval.
17. Opportunity to challenge the commission decision, process and conditions imposed in the courts.

OPTION C: IMPROVING THE CURRENT SYSTEM

This option is a limited reform package involving no legislative changes. Secretaries of State would retain their powers to determine applications, but the processes would be streamlined as far as possible within the existing regime. This option would have the three stages of Option B, but the decision would be taken by Ministers rather than by the new independent commission.

Whether to produce a national policy statement would be a matter for individual Ministers. We therefore expect that some national policy statements would be produced under this option. However national policy statements would have less legal status than under Option B, as ministers would not be bound by a statutory requirement to determine applications in accordance with a national policy statement in the way the commission would. Hence the time savings at inquiries due to the national need already being established might not be as great as under Option B. Under this option, as under Option B, promoters could also be required to consult local communities and statutory consultees could be created. Similarly to Option B, under this option the government could provide early advice to promoters on information requirements and the application process.

The consent regimes would be partially harmonised, so that, for instance, the problems identified with the authorisation regime for underground gas storage infrastructure could be reduced. A number of Secretaries of State would continue to have responsibility for the infrastructure types which may be affected by one application. For instance, a power station may require a new road and could affect listed buildings. This means that promoters would often need to apply to more than one Secretary of State, as at present. However the inquiry procedures for these applications could be aligned to simplify the application process from the promoters' perspective.

As part of rationalising the regimes, common inquiry procedures could be imposed for all nationally significant infrastructure projects. These would include:

- Encouraging the use of written representations instead of public inquiries.
- Encouraging the use of direct questions rather than cross-examination at public inquiries.
- Introducing more challenging targets for inquiry times.
- Introducing more challenging targets for ministerial decision-making.