

# PLANNING (WALES) ACT 2015

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3 Development Planning**

#### ***Section 4 – Designating strategic planning areas and establishing Strategic Planning Panels***

22. This section inserts sections 60D to 60G into the PCPA 2004.
23. Section 60D enables the Welsh Ministers to make regulations designating a strategic planning area and establishing a strategic planning panel for that area. A strategic planning area must include all of one local planning authority's area and all or part of at least one other authority's area.
24. Section 60D also introduces Schedule 2A to the PCPA 2004. Schedule 2A makes provision about the membership, administration and financial arrangements of a strategic planning panel. It is inserted into the PCPA 2004 by Schedule 1 to the Act.
25. Before making regulations under section 60D, the Welsh Ministers must have issued a direction under section 60E to one or more local planning authorities, who must have either submitted a proposal for an area to be designated or failed to do so within the specified period. (These requirements do not apply to regulations which amend or revoke previous regulations designating a panel.) The Welsh Ministers must also have undertaken consultation, if required. The circumstances in which consultation is required are set out in section 60F and described below.
26. Section 60E enables the Welsh Ministers to direct one or more local planning authorities to submit a proposal for a strategic planning area. The Welsh Ministers must give their reasons for the direction. The local planning authority or authorities receiving the direction is the "responsible authority". The responsible authority must: prepare a proposal for the designation of a strategic planning area, including a map of the boundary; consult on its proposal; and submit all of the information to the Welsh Ministers within the set period. This set period is six months unless a period is stated in the direction. The period may be extended if agreed by the Welsh Ministers. Following receipt of a proposal, the Welsh Ministers may proceed to make regulations to establish the strategic planning panel and designate the area. If the Welsh Ministers decide not to designate an area, they must give notice of that decision and the reasons for it to the responsible authority and each other authority included in the direction.
27. Section 60F sets out consultation requirements if: the Welsh Ministers do not agree with the proposal submitted by the responsible authority; no proposal has been submitted in the set time period by the responsible authority; or regulations are to be amended or revoked. If the Welsh Ministers wish to designate a different strategic planning area from that proposed by the responsible authority, they must consult those local planning authorities within the area that they wish to designate. If the Welsh Ministers propose to change an existing strategic planning area, the Welsh Ministers must consult the local planning authorities within that area.

*These notes refer to the Planning (Wales) Act 2015 (c.4)  
which received Royal Assent on 6 July 2015*

28. Section 60G provides that, if the Welsh Ministers request information from local planning authorities that they need to carry out their functions relating to the designation of strategic planning areas, the authorities must provide the information.