

COMMONS TRANSPORT COMMITTEE REPORT: The proposal for a National Policy Statement on Ports

A Paper by Cavendish Communications: March 2010

The Transport Committee published its report on the government's proposed National Policy Statement on Ports on 17 March 2010. National Policy Statements (NPS) were introduced by the Planning Act 2008 for nationally significant infrastructure projects. As the Committee notes: "Once an NPS is designated by the Government, it becomes the primary guidance on which the Infrastructure Planning Commission (IPC) must base its decisions regarding applications for major developments—in this case, for ports—and key guidance for other decision-makers. An NPS will, as the title implies, state the Government's policy on development and decision-makers will be required to take this policy into account when determining a planning application."

The Committee also notes that the draft NPS applies only to England and Wales. Despite being primarily designed to provide guidance to the IPC (i.e. when determining major infrastructure projects), the threshold over which port infrastructure projects are regarded as of national significance has been set at such a high level that very few port applications are likely to be decided by the IPC. The NPS will therefore also be relevant to local planning authorities (for land-side development) and the Marine Management Organisation (which comes into being on 1 April 2010 - for offshore development).

The Committee concludes that it cannot recommend designation (i.e. confirmation) of the NPS at this stage for two reasons:

First, the closely related National Networks NPS needs to be published first so that the inter-relation between the two can be understood

Secondly, the MMO has not been able to comment on the NPS because it has not yet come into existence.

Key recommendations include:

The role of local authorities in respect of port development to be clarified

DfT should "Provide a clear and distinct summary of its policy for ports in the Ports NPS"

The port demand forecasts should be reviewed, before designation of the NPS, "in light of trends over the past two years"

The government should clarify "the extent to which the impact of a given port development on existing commercial operators should be taken into consideration in determining an application"

The different weighting to be applied to various criteria – such as economic and environmental impact – should be clarified

The relationship of the NPS to other planning documents (e.g. regional spatial strategies and local development frameworks) should be clarified

The government should express a preference for port development where national needs can be met while producing the greatest regional social, economic and environmental benefits.

The Committee concludes that at present the "NPS is not fit for purpose".