

Canal & River Trust as Statutory Consultee: Duty to Respond and Report for Wales

Purpose of the Report

The Canal & River Trust in Wales is a statutory consultee as set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ('the order'). As a statutory consultee we are required to compile a report for the Welsh Government on our performance in responding to consultations. This is our annual report for the period 1 April 2023 to 31 March 2024.

The Trust is known as Glandŵr Cymru, the Canal & River Trust in Wales (the Trust). We are the charity who look after and bring to life 76 miles of canals in Wales. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of Wales.

Statutory Consultee Status for Applications

The Canal & River Trust in Wales ("Glandŵr Cymru") is a Statutory Consultee on applications involving:

Development likely to affect –

- *any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or*
- *any canal feeder channel, watercourse, let off or culvert,*

which is within an area which has been notified for the purposes of this provision to the local planning authority by the Canal & River Trust.

In preparing a substantive response, Glandŵr Cymru's Planners take advice from a range of internal specialists including, bridge, geotechnical and structural engineers, hydrologists, ecologists, heritage advisors etc.

The area notified for consultation with Glandŵr Cymru transcends eight local authority boundaries in Wales.

Planning Consultations

During the period 1 April 2023 – 31 March 2024 Glandŵr Cymru was asked to respond to **118** pre-application, planning and related application consultations. This figure includes:

- **26** consultations to which the Trust has no statutory duty to respond, such as applications for listed building consent, applications for the discharge of conditions, but to which we chose to respond;
- **14** consultations from LPAs which were outside the notified area for consultation and where the LPA was consulting us for no specific reason. These were returned to the relevant LPA without further action; and
- **24** pre-application consultations were received and returned without further action as they were also outside the notified area for consultation and we were being consulted for no specific reason.

For the purposes of the remainder of this report, these **64** consultations have been excluded.

Glandŵr Cymru received a total of **52** registered application consultations in Wales and **2** statutory pre-application consultations to which there was a duty to respond within the period 1 April 2023 and 31 March 2024. Of these 2 consultations related to applications that were withdrawn before we made a substantive response.

Glandŵr Cymru therefore considers that there was a duty to respond to **52** consultations as follows.

The figures reported below relate to these consultations:

Consultation Type	Number of consultations received requiring a response in 2023/24
Statutory pre-applications received from third parties	2
Registered Planning Application Consultations received from LPAs	50
TOTAL	52

Glandŵr Cymru is required to make a substantive response within 21 days (or 28 days for pre-applications) or within an extended period which has been agreed between the parties.

The table below sets out our compliance in this regard:

Consultations	No. of Registered Planning Application Consultations	Statutory Pre-application	Total No. of Consultations
No. of consultations in compliance with statutory deadlines	50	1	51
No. of consultations in Compliance with statutory deadlines & agreed extensions	0	1	1
No. of application consultations in non-compliance	0	0	0
TOTAL	50	2	52

In summary, the overall response rate for statutory consultations within the agreed period is 100%.

Pre-application consultations

In addition to the 2 mandatory pre-application consultations included above we also responded to the following Pre- Application consultations:

- 2 major pre-application consultations which were outside our notified area
- 3 pre-application consultations received from LPAs
- 1 pre-application consultation from a 3rd party relating to a specific element of a future application

Glandŵr Cymru also returned 24 third party pre-application consultations.

How the Trust respond

Whether advising on structural integrity or wider planning matters, the Trust approaches its role in the planning system with a pragmatic and solution-focused approach that strongly values the benefits that high-quality, sustainable development has brought to the rejuvenation of our waterways.

Objections are a last resort and only used where co-operation and engagement has failed to result in an acceptable development proposal. As a result of this, the Trust objected to none of the consultations reported above.

Reflection on Performance as a Statutory Consultee

The response rate for all consultations for which there is a statutory duty to respond is **100%** in 21/28 days and/or an agreed extension.

We are committed to working with the Welsh Government and others to explore new innovative ways of working to improve the efficiency and positive impact of our statutory consultee role. We will continue working with local planning authorities in achieving our shared objective of supporting the delivery of sustainable growth.

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