

Planning for Infrastructure after Brexit

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Multiple potential impacts from Brexit



- Demands for infrastructure
 - Design of new infrastructure
 - Delivery of new infrastructure
 - Funding
 - Consenting rules
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Current position?



- Negotiating position still unclear beyond transitional period
- 25 Year Environment Plan – carefully avoids EU rules
 - Seeks to embed “environmental net gain” in infrastructure schemes
- Industrial Strategy

Energy



- Membership of single energy market
 - Potentially greater investment in domestic production
- Investment in interconnectors
- Northern Ireland
- EU Emissions Trading Scheme

Water



- Water Framework Directive
 - Not mentioned in 25 Year Plan
 - Key driver for design of water infrastructure
 - Catchment based approach? See NIC
 - 25 Year Plan suggests “large new infrastructure”
 - European Investment Bank £700m investment in TTT
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Waste



- Waste Framework Directive and Landfill Directive key drivers of waste infrastructure
 - Pressure to change the (expensive) landfill avoidance arrangements after Brexit?
 - 25 Year Plan seeks to “improve management of residual waste” including through changes to EfW plants (heat networks, reduced CO2)
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Transport

- Impact on demand? Hub functions; port capacity
- Impact on technical standards e.g. TSIs for train network
- Funding from EIB (e.g. Merseyrail train fleet)



Consenting process

- Impacts dependent on how the “rules of the game” change in respect of SEA/EIA/Habitats/WFD
- Note that Planning Act 2008 is essentially geared for compliance with EU environmental law:
 - Centrality of ES
 - “Rochdale envelope” (*R. v Rochdale MBC Ex p. Milne (No.2)* [2001] Env. L.R. 22)
 - Approach to amendments





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