



Law Commission
Reforming the law
Comisiwn y Gyfraith
Diwygio'r gyfraith

Sir Peter Fraser
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To: First Minister

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23 Gorffennaf 2025/23 July 2025

Dew First Minister

Planning (Wales) Bill

Thank you for your letter dated 16 July 2025 following up on our letter of 16 May 2024.

After consulting with Commissioners, I can confirm that it was not the Commission's intention, when it advised and recommended that Matter 2 (appeals and inquiries – powers to appoint assessors) and Matter 21 (Revocation of suspension order in relation to minerals sites – notifying those affected) were suitable for inclusion in a consolidation bill, to limit the ambit of the matters proposed in the original request dated 27 October 2023.

I can therefore confirm that our recommendation in relation to Matter 2 extends to the ability of Welsh Ministers to appoint assessors directly to deal with cases arising on the basis of written applications relating to optional direct applications made to Ministers under sections 62M and 62O of the Town and Country Planning Act 1990 as well as appeals under schedule 6 of that Act.

In relation to Matter 21, our recommendation was intended to relate to the entire proposal, extending to where planning authorities revoke suspension orders under paragraphs 6 and 10 of Schedule 9 and, by virtue of paragraph 11(7) of Schedule 9, where the Welsh Ministers revoke orders under paragraph 6.

We are therefore happy to clarify that both these matters are suitable for the procedure.

I can also confirm, in relation to two further matters, 1 and 22, that our recommendations were intended to reflect your request of 7 October 2023.

In relation to Matter 1 (call-in of applications: Welsh Ministers to notify applicants), our recommendation was intended to also extend to include call-ins relating to the determination of the conditions of a dormant planning permission for mining operations and the conditions of an active minerals permission.

And in relation to Matter 22 (general power to contribute towards expenditure), our recommendation was intended to extend to the exercise of any function conferred by or under the Bill, whether those functions are currently exercised under the TCPA 1990, or the Planning Act 2008, or under any other Act being replaced by the Bill.

We note that the request for clarification was sent just a few working days before your internal deadline. We are highly unlikely to be able to respond this side of the summer recess if any further similar issues are raised at this stage.

I trust that this letter suffices in your interpretation of our letter of May 2024.

Yours sincerely,

A handwritten signature in black ink that reads "Peter Fraser". The signature is written in a cursive style and is positioned above a solid horizontal line that extends to the right.

Sir Peter Fraser

Chair, Law Commission