



# Frequently Asked Questions about the Consents Service Unit

## 1. What is the Consents Service Unit?

The Consents Service Unit (CSU) is based within the Planning Inspectorate (PINS). It was set up in April 2013 in response to a commitment from the Government to extend the 'one-stop shop' approach for non-planning consents relating to Nationally Significant Infrastructure Projects (NSIPs) in England that are consented under the Planning Act 2008 (as amended by Localism Act 2011 and the Growth and Infrastructure Act 2013).

The CSU was established to improve the coordination between the PINS, developers and other consenting bodies in relation to non-planning consents. Its purpose is to make the overall consenting process more efficient by drawing on the expertise and resources within the relevant consenting bodies.

For further details about the CSU, please see our [Prospectus for Developers](#).

## 2. Does the CSU cover the whole of the United Kingdom?

The service provided by the CSU is only available for projects in England (including off-shore proposals within English waters). It does not have a remit to operate in relation to projects in Scotland, Wales or Northern Ireland.

## 3. Does the remit of the CSU also include other types of development besides NSIPs?

No. The remit is focused solely on NSIPs.

## Working with the CSU

### 4. What are the benefits of the CSU to me and my proposed development?

The CSU will:

- Help developers better understand which consents are needed in **addition** to the Development Consent Order (DCO) at the earliest stage possible, how they can be obtained, and the different requirements of each consenting process. The focus of the CSU is on **non-planning** consents.
- Pro-actively facilitate early engagement, primarily at the pre-application stage, between developers and relevant consenting bodies to enable efficient resolution of potentially difficult issues regarding non-planning consents.
- Ensure that all parties are clear what is expected of them and when, in order for all relevant consents to be obtained.
- Identify and address any potential issues up front, avoiding delays during the examination of the DCO.
- Offer a process for resolving difficult issues between developer and consenting body, where appropriate.

### 5. When should I engage with the CSU?

The CSU is available to developers as a source of advice and guidance around the relevant non planning consents at any stage of their project.

The CSU will be most effective to developers if it is able to engage at the earliest possible stage and preferably long before a DCO application is submitted to PINS. However, while the CSU's input is most valuable during the pre-application for the DCO, it can continue to provide support on consenting matters throughout the entire application process. This is especially the case where consents are not in place prior to submission of the DCO application.

### 6. How will the CSU operate?

The CSU can become involved in an NSIP project via a number of routes:

- Developers are free to contact the CSU at any stage of their project for independent advice about the consenting processes and procedures, or the need for consent.
- As most value can be gained from early engagement, the CSU will aim to attend each initial meeting between the developer and PINS case teams in the early stages of pre-application.
- The CSU may also pro-actively approach developers, where this is considered appropriate.
- A consenting body may also refer developers to the CSU.

The CSU's involvement will be tailored to meet the needs of each individual project.

## **7. How does the process work?**

Having been introduced to the developer, usually through working with the relevant PINS case team, the CSU will work with them to help to identify which non-planning consents are likely to be required in addition to the DCO. This will include consideration of whether existing consents can be utilised or whether new ones are required and when the developer intends to apply for them. The CSU encourages developers to begin pre-application discussions with relevant consenting bodies as soon as possible. However, they will also maintain contact with consenting bodies and PINS regarding consents progress. If required, the CSU is available to the developer for advice on non-planning consents at any time during pre-application and beyond.

The CSU is able to facilitate engagement and support developers in resolving issues up front. If the developer chooses, it can also coordinate the production of a bespoke Consents Management Plan (CMP). In this case the CSU will undertake coordination and regular review of consents progress, through regular contact with the developer, consenting bodies and PINS. Any potential delays will need to be identified as early as possible so that handling strategies can be discussed.

## **8. Wouldn't it be easier to deal directly with the consenting bodies themselves?**

The service provided by the CSU is entirely optional. However, the CSU offer a coordinated approach to dealing with non-planning consents and will engage the consenting bodies and the developer to resolve issues at the earliest possible stage. The CSU can help to explain, or coordinate, advice from the relevant consenting bodies about the different requirements of each consenting process. This will provide developers with clarity and ensure that a greater level of understanding is reached with regards to what is required and when.

Without a coordinated approach, there is a greater risk of delays in the relevant application processes. The CSU may also help developers to create a bespoke CMP to which all relevant parties can commit.

## **9. Will the CSU act as an advocate for my proposals with the consenting bodies and within PINS?**

The CSU will not be an advocate for a particular project, body or decision, nor will it comment on the technical merits of a particular consent application. It will maintain an impartial position whilst seeking to facilitate co-operation and engagement in the process.

## **10. Will the CSU act as a Project Manager?**

The CSU will not duplicate the detailed project management role of the developer. The developer is ultimately responsible for ensuring that they have all the consents required in order to carry out the development.

## **11. How much will the CSU charge for their services?**

The service provided by the CSU is without cost to the developer<sup>1</sup>. However, developers will need to be aware that other charges may apply. These will not be set-aside by the involvement of the CSU. The CSU will seek to make clear (where known) which elements of the consenting processes (if any) are likely to fall under charging regimes.

## **Non-Planning Consents**

### **12. Which non-planning consents are relevant?**

The remit of the CSU covers non-planning consents that are principally issued by the Environment Agency, Natural England, the Marine Management Organisation, the Department of Energy & Climate Change and Local Lead Flood Authorities. A full list of these consents can be found in Annex 1 of the [CSU's Prospectus for Developers](#). Developers should note that there may be other consents required that are beyond the remit of the CSU.

### **13. Who decides what consents are listed in Annex 1?**

The list has been developed as part of the Government's planning reform agenda in parallel with other changes including those made by the Growth and Infrastructure Act 2013. The list has been agreed between the Department for Communities and Local Government, other Government departments and agencies.

### **14. Will the list of consents in Annex 1 be reviewed?**

At the current time there is no programme to review the list of consents in Annex 1. The CSU will report on a quarterly basis to the joint management board overseeing their work which is led by the Department for Communities and Local Government; any decisions to expand Annex 1 will be a matter for their consideration.

### **15. Does the CSU make decisions on issuing any consents?**

No, the consenting bodies retain their independence, expertise and decision making powers as set down by legislation.

### **16. What is the 'Consents Management Plan' (CMP)?**

The CMP will capture key target dates, milestones and checkpoints for both the developer and the consenting bodies in relation to the consents which are required. It will also identify any risks which may impact upon project schedules.

It is the intention that CMPs will be published, once agreed, via the Planning Portal. Plans will not contain any commercially sensitive information or matters of national

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<sup>1</sup> A review of fees is currently underway and, whilst currently a free service, this may change later in 2015/2016.

security. They will be high level, concentrating on key milestones, events or decisions in relation to each scheme. They will be version controlled and kept up to date.

The benefit to the developer of establishing a CMP will be dependent on a variety of factors, for example the number of relevant consents which a particular project requires. As stated above, the developer is able to engage with the CSU whether a plan is established or not.

## **Links to the Development Consent Order process**

### **17. Can the non-planning consents in question be included within a DCO?**

Government guidance highlights the presumption in favour of including, where possible, non-planning consents within the scope of a DCO. However, in the case of many of the 12 non-planning consents dealt with by the CSU, the developer will require the consenting body's permission to incorporate them into the DCO. The developer should therefore consult the relevant consenting body at an early stage to seek such agreement<sup>2</sup>. Where developers request it, the CSU can facilitate such discussions. They can also advise which consents are likely to be agreed as suitable to be incorporated into the DCO and under what circumstances.

## **Further Information**

### **18. Where is the CSU based?**

The CSU is based in Bristol. However, it is able to meet developers at other locations where there is a business need to do so.

### **19. How do I contact the CSU?**

By phone - 0303 444 5000 please ask for 'the Consents Service Unit'

By email – ConsentsServiceUnit@pins.gsi.gov.uk

By post -

Consents Service Unit

Zone 3/18 Eagle Wing

The Planning Inspectorate

Temple Quay House

Temple Quay

Bristol BS1 6PN

### **20. Where do I find further information?**

For further information and the 'Prospectus for Developers' please go to our web page <http://infrastructure.planningportal.gov.uk/legislation-and-advice/consents-service-unit/>

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<sup>2</sup> (Under s150 of the 2008 Planning Act)