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Llywodraeth Cymru
Welsh Government

Welsh Government
Consultation – Summary of responses

A National Infrastructure Commission for Wales

08 March 2017

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.
This document is also available in Welsh.

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INTRODUCTION

The Welsh Government is committed to moving towards a better informed, longer-term strategy of infrastructure investment which enshrines the principles of the Well-being of Future Generations (Wales) Act 2015.

In order to realise this, we intend to establish a National Infrastructure Commission for Wales before the end of 2017 to provide independent and expert advice on the strategic infrastructure needs and priorities. In support of this and as part of our ongoing commitment to public engagement, we launched earlier this year a consultation on proposals for the way the commission is set up and run.

This report provides a summary of the feedback received, and the Welsh Government's response to this feedback.

BACKGROUND TO THE CONSULTATION

Our consultation document "A National Infrastructure Commission for Wales"¹ was launched by Ken Skates AM, Cabinet Secretary for Economy and Infrastructure on 17 October 2017.

The consultation ended on 9 January 2017, and a total of 78 responses had been received. Of these responses, 72 answered the template questions and 6 provided their views in a commentary, letter or report format.

Who responded?

Responses were provided from organisations with a range of interests and from a range of locations:

Business	2	Individual	6
Commissioner	1	Legal Sector	2
Communications	2	Lobby Group	2
Community / Town Council	7	Local Authority (Wales)	7
Construction / Engineer	11	Planning Sector	2
Energy Sector	6	Political	2
Environment Sector	11	Trade Body	1
Equality Group	1	Trade Union	1
Financial Sector	1	Transport	5
Health Sector	3	University	1
Housing Sector	2	Water	2

¹ <https://consultations.gov.wales/consultations/national-infrastructure-commission-wales>

Responses by Location	
International	1
UK	20
Pan-Wales	35
North Wales	5
Mid-Wales	4
West Wales	3
South Wales	8
Unknown	2

National Assembly for Wales - Economy, Infrastructure and Skills inquiry

In November 2016 the National Assembly for Wales' Economy, Infrastructure and Skills Committee carried out an inquiry into the Welsh Government's proposals on a National Infrastructure Commission for Wales. The aims of the inquiry were to

- Obtain clarity for stakeholders on how the Welsh Government proposes to take the Infrastructure Commission forward,
- To influence the development of the Welsh Government policy in this area,; and
- To make meaningful recommendations to the Government.

In line with the consultation document, the committee sought views on:

- What the role, remit and objectives of the Commission should be;
- How the Commission should operate, and what methodologies it should adopt for conducting its work;
- How the Commission should be governed and funded to ensure its independence from the Welsh Government;
- Examples of UK and international best practice that the Commission could learn from;
- How the work of the Commission should incorporate the principles of the Well-being of Future Generations (Wales) Act 2015;
- How and to what extent the work of the Commission should influence Welsh Government decision making and prioritisation of infrastructure projects;
- How the work of the Commission should interact with regional infrastructure priorities and City/Growth Deals; and
- What relationship the Commission should have with the UK Government's Commission on cross-border issues and infrastructure in areas that are partially devolved

The committee's report² was published on the 24 January, and its findings and recommendations are reflected in this Welsh Government response. A separate,

² <http://senedd.assembly.wales/mglIssueHistoryHome.aspx?lId=16234>

direct response to the committee’s report can be found on the National Assembly for Wales’ website.

RESPONSES TO THE CONSULTATION

Status and Remit

Question 1: Do you agree that NICfW’s remit and output should consist of analysis, advice and recommendation to the Welsh Ministers?		
Agreed (in whole or part)	Disagreed	No comment or firm view
74 (92%)	4 (5%)	2 (3%)

A clear vast majority of respondents agreed with the principle of setting up a National Infrastructure Commission for Wales (NICfW) along the lines proposed .

CBI Wales told us:

With the government gaining new powers over taxation, borrowing and energy, now is the time to take a truly long-term approach to meeting our infrastructure needs through the creation of a NICfW with the powers and resources to identify Welsh infrastructure needs and advise the Welsh Government on how best to plan and deliver on these priorities.

TUC Wales said:

It is essential that the proposed National Infrastructure Commission for Wales works as part of a new economic strategy clearly set out by the Welsh Government to ensure both the economic growth and development of the Welsh economy in the 21st century.

With most agreeing with the proposals for the remit and output of the commission, many respondents also raised additional points for consideration. Arcadis told us the “*recommendations should have ‘teeth’ and drive action and results*” and that the commission should “*seek to learn lessons from other countries and devolved regions*” towards a “*benefits-led approach to recommendations focused on whole life value, in contrast to whole life cost only.*”

The Future Generations Commissioner suggested the commission’s remit and Terms of Reference

...should be framed around the Principles and Goals within the Well-being of Future Generations Act to ensure that what the Commission does seeks to maximise contribution to the seven well-being goals, whilst how they do this follows the five ways of working including collaboration and integration.

This principle was supported by other respondents, and further reinforced by the Economy and Infrastructure Committee, who recommended “*The NICfW should be considered a public body under the Well-being of Future Generations Act 2015*”.

A number of other points were consistently raised by respondents, including the need for NICfW to:

- assess the current state of Wales infrastructure assets and subsequently develop a long-term vision at the outset
- Have due regard to the duties of the Welsh Government under the Environment Act.
- pro-actively learn lessons from similar bodies in other countries and devolved regions

The respondents who did not agree mostly felt the commission should go beyond advising and recommending, suggesting instead that the commission could be given a remit over delivery, project management, skills development and planning consents.

Some respondents sought clarity on processes and practices in respect of the commission, including:

- The reporting process, and whether reports will be public and subject to assembly scrutiny
- The process for if Welsh Ministers disagree with the recommendations
- How advice and recommendations will translate into actions
- How delivery by Welsh Government will be monitored and reported on

Opinion was divided as to whether there was a compelling need to place the commission on a statutory footing. Some respondents agreed with the proposals within the consultation document, and supported reviewing the effectiveness of the committee – including its legal status – after it had been established.

Others felt that, in order to have an empowered and independent commission, it should be made statutory at the earliest opportunity. There was, however, a consensus that the commission should be set up as soon as practicable, and the process to establish a statutory body should not constrain momentum. The Economy, Skills and Infrastructure Committee concluded that “*ultimately the independence and credibility of the Commission will best be secured by it being placed on a statutory footing*” but there was “*no need to delay setting up the body waiting for legislation*”

Nine respondents suggested that the focus on economic and environmental infrastructure would limit the effectiveness of the commission.

The Civil Engineering Contractors Association (CECA) Wales told us the remit “*should encompass all forms of new infrastructure including social infrastructure such as housing, schools and hospitals given inter-dependencies and need for connectivity*”.

CBI Wales advised:

Housing is key to the attractiveness of a local economy and current processes for planning and delivering housing need reform. The commission could usefully advise on housing need and suggest innovative methods of meeting the Welsh Government's own home building targets.

In their report, the Economy, Skill and Infrastructure Committee concluded they were “...not persuaded at this stage that the remit of NICfW should include all elements of social infrastructure”. The committee did advise, however, that “the case for including the supply of land for strategically significant housing developments and related infrastructure is compelling.”

Government Response

We agree that the Well-being of Future Generations Acts should provide the central framework for NICfW's work and will ensure that this is embedded directly within the commission's terms of reference. We will also ensure the commission has due regard to all relevant statutory duties of the Welsh Government, including the Environment Act.

The concerns raised around the non-statutory status of the commission focused on the possible restrictions of its ability to act independently of Government. We agree that scrutiny by the National Assembly for Wales should be an integral and ongoing part of ensuring the committee's activity is independent from Government. We will establish the Commission on a non-statutory basis to ensure it is able to provide advice and recommendations as soon as possible.

We do not consider that the role or remit of the Commission would be enhanced by placing the Commission on a statutory footing, but have committed to undertake a formal review of the Commission before the end of this assembly term..

In respect of whether the remit should be extended to social Infrastructure, some respondents stressed the need to look at infrastructure requirements holistically. However, both respondents to the consultation and those who engaged with the Economy, Infrastructure and Skills Committee that considered that the commission would only have a limited influence over social infrastructure but widening the remit could dissipate its effectiveness in practice.

In considering the evidence provided to the Committee and feedback from the public consultation, we have concluded that the remit of the commission should not be extended towards social infrastructure in general.

We recognise there is an argument for extending the remit to include strategic land supply, but given the already existing mechanisms in place, this will require careful consideration. Time will be needed to allow for regional development plans to bed down before the effectiveness can be assessed. We therefore propose that this will be a key part of the planned review before the end of this assembly.

In the meantime, the National Infrastructure Commission for Wales will be expected to consider the potential interactions between its recommendations and social infrastructure. This will ensure that the Commission’s recommendations take a holistic view of infrastructure needs, but are also able to maintain its primary focus.

Question 2: Do you agree that NICfW’s remit should extend to non-devolved as well as devolved infrastructure?		
Agreed (in whole or part)	Disagreed	No comment or firm view
68 (87%)	1 (1%)	9 (12%)

The majority of respondents agreed that the commission should consider both devolved and non-devolved infrastructure when advising the Welsh Government. Centrica suggested that the commission would *“have most impact if it is given a remit to advise on how opportunities in Wales can contribute to developing infrastructure across Britain”*

Network Rail and the Rail Delivery Group both suggested the remit should reflect how people and businesses use infrastructure *“irrespective of whether the infrastructure is devolved, non-devolved, provided on an agency basis or entirely commercial in nature.”*

The Wales Green Party advised:

This will be particularly crucial if non-devolved authorities are pushing an agenda that will be harmful to the aspirations of Wales and similarly, if technologies and projects are being developed that will have dispersed environmental threats to the people and ecosystems of Wales

Many respondents, including those who agreed, disagreed or had no firm view, suggested the commission’s relationship with the UK National Infrastructure Commission would be crucial towards being able to develop meaningful advice and recommendations on cross-border issues. Some respondents suggested more clarity was needed on how the commission would manage advising and recommending on non-devolved matters.

This is considered further as part of the responses to question 8.

Government Response

We welcome the majority agreement that non-devolved infrastructure should be included within the remit of the commission. We concur that the key to managing this aspect will be to ensure the Welsh Government, NICfW, UK Government and UK NIC are joined up and working effectively, and we will seek to put measures in place to strengthen and, if necessary, formalise this relationship.

Question 3: Do you agree that NICfW should not advise on programmes and work that have already been decided, or will be decided in the immediate future, by statutory and regulatory bodies?

Agreed (in whole or part)	Disagreed	No comment or firm view
37 (47%)	26 (33%)	15 (19%)

There was more of a diversity in opinion as to whether the commission should not advise on programmes and work that have already been decided, or will be decided in the immediate future. However, there was a clear and general consensus that the commission should have flexibility to look at existing programmes in the context of cumulative benefits, or potential enhancements.

The WLGA told us the commission should be “*forward looking rather than retrospective*”, and “*not be enabled to consider key decisions retrospectively, or to police decisions.*” However, they also felt additional clarity would be needed:

For example, where a decision has already been made to move ahead with a collaborative regional programme it should not prevent expert advice from being offered on the potential to enhance the programme.

The Cardiff Capital City Region Board said:

The Commission should focus on the medium to long term and it would be inappropriate for it to recommend interventions related to agreed projects and programmes.

However, it could have a positive role by allowing the Commission to work closely with the regional bodies and Welsh Government Departments to bring together the various agreed and proposed forward work programmes, including research and studies, and providing advice related to potential synergies, conflicts, duplication and gaps.

Some respondents considered the commission should go further, and that current and soon-to-be decided projects should be within its remit, particularly due to the long lead in time between decision on infrastructure being made and their actual delivery.

The Alliance for National Parks Cymru told us:

Given the extended timescale before the actual start of many infrastructure projects and that on occasions ‘second thoughts’ may be sensible, we would advise that some flexibility be built into this aspect. In some cases it may be prudent to have some advice from the Commission on projects which have been agreed but not yet started

The Hodge Foundation Research Project from Cardiff Metropolitan University suggested:

The 'NICfW' should have the power to review programmes and their rationale, as well as work that has already been decided, or will be decided in the immediate future, in order to ensure that a coherent view can be taken of future infrastructure needs, including recommendation for modification, if required, of some still-to-be-taken decisions.

Government Response

We accept the need for the commission to be able to take into account current and upcoming infrastructure projects when identifying future needs. However we do not consider that its remit should include reviewing **programmes and work that have already been decided or are near decision**. It is likely to add legal and administrative complexities and uncertainty to pre-existing decision making processes that could destabilise investment. Doing so would also tie up the valuable resources and expertise required for the commission to focus on strategic, forward-looking infrastructure needs.

Therefore NICfW will not look to re-opening decision making where programmes and work have been decided (or are due to be decided soon after the submission of NICfW advice). The effectiveness of this approach will be kept under review.

Question 4: Do you agree that NICfW should be able to look at cross-cutting delivery issues if it considers them a barrier to delivering infrastructure needs, including governance, costs, financing and programme/project management methodology?

Please specify any other delivery issues that you consider NICfW should be able to look at and the reason.

Agreed (in whole or part)	Disagreed	No comment or firm view
69 (88%)	2 (3%)	7 (9%)

The majority of respondents supported the proposal for the commission to consider cross-cutting issues. Many suggested that such an approach would be essential towards ensuring the Well-being of Future Generations Act principles are embedded into advice and recommendations

Airbus told us this approach could help “*release departments and agencies from a silo-mentality*” towards ensuring a “*more strategic approach is taken in the delivery of the infrastructure plan*”. They added:

Ultimately the commission will need to be accountable along with the Welsh Ministers for the delivery of this plan and therefore any cross cutting barriers need to be challenged.

Glandŵr Cymru suggested the commission “*should be looking at best practice in all areas having an impact on delivery*” and “*make recommendations on these issues as well as the proposed programmes of work*”.

Dwr Cymru pointed out that having the commission look at cross-cutting issues would be particularly helpful as currently “*no single body currently looks at mutual reliance of different infrastructure networks*”, and that this could lead to better co-ordination of planning and delivery, and better spacial planning

Some respondents urged caution in respect of the scope of the commission’s ability to review cross-cutting delivery issues. In their responses, Network Rail and the Rail Delivery Group told us:

In order to make the best use of expert resources and valuable time ...the NIFCfW should focus on looking at cross-cutting infrastructure planning for the future instead of looking at the inputs into the delivery process that will vary significantly between infrastructure providers.

Friends of the Earth Cymru warned that “*delivery issues such as costs, financing and programme/project management methodology are hugely detailed issues*”, and The Campaign for the Protection of Rural Wales (CPRW) advised that the commission “*should not be able to override other well established statutory processes and consent for the sake of expediency.*”

Government Response

We concur with the majority of respondents who told us the commission should be able to consider cross-cutting delivery issues. We acknowledge that, in practice, it would be prudent for the commission to focus it’s time and resources on barriers to effective future infrastructure planning and decision-making. The commission will not override statutory processes, but would expect them to be able to advise and recommend improvements to such processes should significant barriers to delivery be found.

Question 5: Do you agree that NICfW should engage closely with and consult other bodies that may have an economic and environmental infrastructure remit?

Who do you think are the key bodies that NICfW should engage with and consult

Agreed (in whole or part)	Disagreed	No comment or firm view
73 (94%)	0 0%	5 (6%)

Almost all respondents agreed that the committee should engage closely with and consult other bodies that may have an economic and environmental infrastructure remit.

Scottish Power suggested this would be key “*towards avoiding undue duplication of work with existing Welsh and UK Government Departments or other bodies.*” Sports Wales said the commission should engage

..with all statutory bodies that have infrastructure implications within their remit to ensure that strategic plans overlay appropriately with localised infrastructure development, and that local needs and decision making is factored into the process.

CBI Wales told us the commission “*should have a duty to consult the private sector in the normal course of its duties, similar to the Welsh Government’s duty.*” Some respondents, such as CECA Wales, suggested consultation should “*extend to those with a remit for social infrastructure such as housing*”

Respondents offered a list of suggested bodies to be consulted by the commission – this is captured within Annex A.

Government Response

We welcome the wide range of potential stakeholders that have been suggested for engagement with the commission. This list will inform the initial engagement of the commission as it develops. We accept that, although it is not proposed for social infrastructure to be included within the scope of the commission’s advice and recommendations, there will be a need to consult stakeholders from this area to ensure a holistic and informed approach is taken towards assessing environment and economic needs.

Question 6: Do you agree that NICfW’s remit should extend to participating in other relevant strategic advisory fora, such as the Council for Economic Renewal?

Please specify any other forum you consider NICfW should participate in and the reason.

Agreed (in whole or part)	Disagreed	No comment or firm view
57 (73%)	1 (1%)	20 26%

Many respondents, including ICE, Wales Construction Federation Alliance CECA Wales, CEW and Carmarthenshire County Council, supported the proposal in principle, but felt if the remit and powers of the commission were not clarified beforehand, it could lead to unnecessary and unproductive engagement.

Caerphilly County Borough Council suggested the commission should be represented at the various fora, as active participation would “allow for information to be passed both ways.”

Government Response

We will ensure through the commission’s terms of reference that the approach to engagement and participation with other fora is inclusive but strategically focused.

Question 7: Do you agree that the Welsh Government should undertake and publish a review of NICfW’s status and remit before the next Assembly election in 2021?		
Agreed (in whole or part)	Disagreed	No comment or firm view
52 (67%)	9 (12%)	17 (22%)

Whilst most indicated that a review of the status and remit would be needed before the next assembly election, opinion was divided as to how this should work in practice. Airbus supported the proposal, noting that

The importance of a review before the next election is that the effectiveness of the commissions work can then be presented to the public before they get a chance to vote in 2021. This enables the commission to have its remit made democratically accountable.

Conversely one individual cautioned against this approach, as there could be potential for the commission becoming “a political football” if tied to the next election.

Some respondents suggested the review should be published well ahead of 2021, whilst others were concerned 2021 would not afford enough time for the commission’s outputs to be fairly assessed.

There was consistency in the responses in respect of the need for independence, scrutiny and democratic accountability. Friends of the Earth Cymru suggested that advice and recommendations “should be put before the relevant Assembly Committee who can then issue a report/commentary on the Commissions’ outputs if they are so minded” Caerphilly County Borough Council advised the Welsh Government should consider and identify “areas of change that would benefit the operation of the NICfW and the changes can then be enacted on a rolling programme”

Government Response

The commission’s initial status and remit – an advisory non-statutory body focused on economic and environmental infrastructure - will be clearly set out in its terms of reference which will be published.

The review will evaluate the effectiveness of the status and remit and recommendations will be made as to any potential changes needed.

We note the concerns raised around the commission becoming political collateral around the election period. However we consider this will provide the necessary amount of time for the outputs of the commission to be fairly assessed and scrutinised.

Relationship with UK National Infrastructure Commission

Question 8 Do you agree that NICfW should work collaboratively with the UK National Infrastructure Commission where relevant?		
Agreed (in whole or part)	Disagree	No comment or firm view
71 (91%)	0 (0%)	7 (9%)

Most respondents agreed that establishing a strong working relationship would be of significant benefit to both the UK NIC and NICfW. FSB told us

FSB Wales believes it is vital that NICW maintains strong relations with the UK Government’s Infrastructure Commission. Many of the areas that impact on Wales’ infrastructure environment fall on either side of the devolution settlement.

They also recommended “*formal identification of a ‘link member’ of the Commission to ensure the linkage with the UK Commission*”.

The suggestion of representation from each commission on their counterpart was suggested by many other respondents. The Wales Green Party suggested this would facilitate a “*relationship of equals*”. The North Wales Economic Ambition Board said the Commission “*must have a strong and influential voice within the UK NIC because that is where key decisions that have significant impact on the Welsh economy will be taken.*”

As part of their recommendations, the Economy, Infrastructure and Skills Committee suggested

The Welsh Government should encourage NICfW to establish and develop strong relationships and information sharing with NIC and [Scottish Future Trust] through its initial remit letter. The Committee believes the NICfW will have an important role in considering the implications of cross-border projects, and projects based wholly in England which have a major impact on Wales

Government Response

We welcome and agree with the majority of respondents who told us ensuring a productive and strong working relationship will be key to the effectiveness of both commissions. Officials in Welsh Government are currently working closely with counterparts in the UK Government and the UK National Infrastructure Commission towards establishing the best method of collaborative working, and will keep the effectiveness of the working relationships under constant review should more formal arrangements be required.

Membership

Question 9: Do you agree that NICfW members should be appointed by virtue of their expert knowledge and experience?		
Agreed (in whole or part)	Disagree	No comment or firm view
66 (85%)	0 (0%)	12 (15%)

Most respondents agreed that members should be appointed to the commission on the quality of their knowledge and experience, and not purely by virtue of their office. In their response, The Home Builders Federation Wales suggested

There is a risk with such a group of people that they will all concentrate of their specialist interest, it is therefore important to also include people who have a wider experience and are able to take a wider view of infrastructure both physical and social.

The Woodland Trust suggested “*members must feel enabled to challenge as well as support emerging thinking and to act as a critical friend*” to the Welsh Government. The Brecon & Radnor and Montgomery Branches of the Campaign for the Protection of Rural Wales stressed that “*there should be no conflict of interests for the appointees*” and “*the committee must not provide a platform for lobbying or any illegitimate furthering of commercial or political interests.*”

Carmarthenshire County Council cautioned that limiting the representatives to 10 “*might present a challenge in terms of ensuring those individuals have the expertise, skill set, and practical experience*”

The Cardiff Capital City Region board suggested

“*The real issue is to ensure that the nature of the expert knowledge and experience truly reflects that required by the Commission’s remit rather than recycling the usual experts who are appointed to such bodies.*”

Government Response

We welcome the agreement of the public that members of the commission should be appointed on merit. We will take the necessary precautions to ensure members conduct themselves in line with the expectations around corporate governance, including propriety, objectivity, transparency, and impartiality. We will set out these expectations early through the remit letter.

In terms of whether 10 members will be sufficient, we will give this further consideration.

Question 10: Do you agree that all appointments to NICfW should be made through an open public appointments exercise?		
Agreed (in whole or part)	Disagree	No comment or firm view
58 (74%)	1 (1%)	19 (24%)

Many respondents agreed that appointments to the commission should be made through a public appointments exercise, and were particularly supportive of the added scrutiny and transparency this would provide. Airbus told us this would

ensure public accountability and mean there can be no doubt or question regarding the risk of collusion or favouritism towards a particular interested party or group including both commercial and political groupings

FSB Wales suggested that it would also be helpful for a “*relevant assembly committee to scrutinise the appointments process.*” TUC Wales suggested that “*the essential ‘knowledge and expertise’ must not be solely restricted to the design, development and administration of projects*”

In their report, the National Assembly for Wales - Economy, Infrastructure and Skills Committee recommended

The Chair of the Commission should be subject to a pre-appointment hearing by a relevant Assembly Committee. The Commission, and its work, should be subject to scrutiny by a relevant Assembly Committee on an annual basis, following the publication of its annual report

Government Response

We welcome and concur with respondents on the need for independence, impartiality and scrutiny in the appointment of members and will run a public appointments exercise to assess applicants’ suitability on the basis of their skills and experience.

Allowing the Assembly to scrutinise the preferred Chair at a pre-appointment hearing will be a helpful part of its scrutiny arrangements.

Question 11: How do you think we should promote this public appointments process to under-represented groups?

Respondents offered a range of practical suggestions as to how the appointments process could be promoted to under-represented groups. These include:

- Using social media
- Multi-lingual communications
- Utilising community, voluntary and third sector organisations as well as more traditional infrastructure networks.
- Ensuring membership should be drawn from across Wales
- Looking to other bodies for best practice in encouraging appointments from under-represented groups.
- Delivering a targeted marketing campaign with strong and clear messaging
- Ensuring those involved in the recruitment process are gender-balanced, independent and understand the importance of diversity
- Using regional newspapers for geographic representation
- Take advantage of local authority diversity networks
- Encouraging youth participation
- Through Town and Community Councils

Some suggested specific activity would be unnecessary as there were already established processes which are inclusive, and in accordance with equality legislation.

Some respondents expressed concern that this approach could divert focus away from ensuring members have the right skills.

The National Assembly for Wales Economy, Infrastructure and Skills Committee recommended

Appointments to the NICfW board should reflect the diverse communities of Wales to ensure an understanding of all parts of Wales. Given the importance of City/Growth Deals, the Board should consider establishing a forum to bring together and consider the work going on in each of the regions of Wales.

Government Response

We are grateful for the wide range of suggestions as to how we could better promote opportunities around membership of the commission to under-represented groups. We think it is vital to ensure the broadest range of people have the opportunity to

apply and will be taking the suggestions offered into account when developing the public appointments process. It will remain a fundamental requirement for the appointment to be based upon skills and experience.

Administration

Question 12: Do you agree that NICfW should be able to commission targeted research? Please identify any specific research you think NICfW should commission as a priority in order to best inform its work, and explain why		
Agreed (in whole or part)	Disagree	No comment or firm view
68 (87%)	0 (0%)	10 (13%)

Most respondents agreed that targeted research should be a core function of the commission. The Hodge Foundation Research Project from Cardiff Metropolitan University suggested the commission should have an *“in-house capacity to identify areas to research, and to commission and evaluate targeted research.”*

Respondents were also consistent in cautioning the potential for duplicating research conducted by other infrastructure bodies. Dee Valley Water suggested the commission would *“need to engage at early stage”* and develop an *“extensive desktop study to identify relevant research already available.”*

Arcadis suggested the commissioning of specific targeted research *“should be a core purpose and focus of the NICfW and the establishment of a pipeline of specific studies should be considered.”*

The Law Society added that *“information should be shared between the various statutory bodies before any research is commissioned”*, and Railfuture Cymru echoed this by suggesting

Organisations interested in the Commission should have a delegated contact within Welsh Government and be able to input their views/advice to the Commission. This would reduce the need for commissioning research.

Respondents mostly agreed that any research conducted should be published and made easily available to the public.

Many respondents also agreed that the commission would need to be allocated sufficient financial and human resources in order to perform this function. The Chair of ICE Wales Cymru said the commission *“should have realistic budget and independent secretariat to do this.”*

Caerphilly Country Borough Council added that *“The secretariat, whilst being comprised of Welsh Government officials, should be under the direct control of the NICfW to ensure its independence.”*

Many suggestions were offered in respect of current research needs, including:

- Improvements to Digital, Mobile and Broadband connectivity and coverage
- Use of resources towards sustainable affordable housing in rural Wales
- Climate change and its impact on current and planned Welsh infrastructure, water management, and economic activity
- Impact of loss of EU funds on financing of infrastructure post 2020
- Interdependencies across the heat and transport sectors
- Changing patterns of consumption, production, and supply
- Capacity of rural areas to use natural resources to promote sustainability

A full list of these suggestions is provided at **Annex B**

Government Response

We welcome respondent’s answers to this question. We will ensure measures are put in place to minimise the risk of duplication and provide sufficient resource. We will also ensure the secretariat manages the commissioning of research in a way which best enables this function.

We will pass on the list of initial areas of research to the commission for consideration at an early stage.

Openness and Transparency

Question 13: Do you agree that NICfW should publish an annual report on its work?		
What factors do you think might require reports to be published more than once a year?		
Agreed (in whole or part)	Disagree	No comment or firm view
65 (83%)	2 (3%)	11 (14%)

Most respondents welcomed the added transparency that an annual report from the commission would provide. However, the majority also felt the commission should have flexibility to publish reports on a more flexible basis. ICE Wales told us annual reports *“supplemented by regular reporting on specific matters to ensure transparency”*, and the Industrial Communities Alliance (Wales) suggested reports should there be *“unforeseen and significant economic events such as major plant*

closures and/or major investment decisions” RICS told us “*factors requiring more frequent reporting might include milestones reached and research completed.* “

Some respondents advised that formal reporting arrangements shouldn't only be put in place for the commission, but also extended to Welsh Government in respect of decision made. In their response, Caerphilly County Borough Council said “

... the requirement to report should be expanded to both NICfW and the Welsh Government. The NICfW should report on its activity (analysis, research, and recommendations to Welsh Government), whilst the Welsh Government would report on decisions made

Some respondents, including Friends of the Earth Cymru, thought better scrutiny could be achieved if the annual report was “*to the Assembly and allowed for debate.*”

Royal Town Planning Institute Cymru raised a point of caution against reporting too frequently, advising that

More reports result in more time-consuming scrutiny and challenge. Such scrutiny is legitimate and can encourage public interest and inputs, but there is a case for limiting it to one annual report to reduce the impact on resources

In their report, the National Assembly for Wales Economy, Infrastructure and Skills Committee recommended

The NICfW should produce a regular “State of the Nation” report in a timescale disconnected from the political timetable. The Committee suggests every three years. The annual report should cover governance issues, and what the Committee has done over the previous 12 months, and its work plan for the coming 12 months. The Welsh Government should respond to recommendations – whether in the triennial report or stand-alone pieces of work - within 6 months.

Government Response

Responses to this question focussed on the needed for scrutiny, transparency and accountability and we welcome the suggestions as to how this could be strengthened.

We accept that flexibility would be needed to allow the Commission to report more frequently should they be required. Whilst we are not inclined to dictate a higher frequency of reporting, we will look to build a sufficient degree of flexibility into the final remit.

We will ensure that reports which are made by the commission, and the Welsh Government's responses to them, are tabled in the National Assembly in a similar way to that which happens with the UK National Infrastructure Commission.

We consider that the Economy, Infrastructure and Skills Committee’s recommendation provides a proportionate framework for reporting arrangements.

Question 14: Do you agree that NICfW should hold public meetings in North, Mid, South and West Wales to explain and promote its role?		
Agreed (in whole or part)	Disagree	No comment or firm view
58 (74%)	3 (4%)	17 (22%)

The majority of respondents agreed that public meetings across Wales would help explain and promote the commission’s role. Arcadis told us this engagement “should be carried out annually to update the public on the NICfW’s progress or by exception if a particular issue arises”

Glandŵr Cymru (the Canal & River Trust) suggested meetings should also be held *“in London and large cities near to the England/Wales Border ...to ensure a wider appreciation and understanding of its work methodologies and the underlying principles in Wales”*

Caerphilly County Borough Council suggested the commission’s involvement *“in local bodies and organisations would disseminate information about the NICfW as part of their processes.”*

Carmarthenshire County Council told us the commission should *“not [be] there to promote itself, but to report.”* They also recommended *“ICT delivery of [information] would be much more cost effective and less time consuming”*

Government Response

The views expressed by respondents will guide our thinking on how and to what extent the commission will engage with the public. It is clear that the commission’s engagement process will need to be proportionate, meaningful, encompassing and ultimately not restrict or distract from its ability to provide strategic, long-term advice.

NEXT STEPS

We are grateful for the constructive and insightful feedback provided by respondents to this consultation. This feedback will now be considered further alongside the recommendations provided by the National Assembly’s Committee for Economy, Infrastructure and Skills.

We will use this valuable feedback to better refine our proposals for the commission, which will take the form of published terms of reference, followed by a public appointments exercise.

ANNEX A – LIST OF SUGGESTED STAKEHOLDERS FOR NICFW ENGAGEMENT

A

Airport operators and airlines
Areas of Outstanding Natural Beauty (AONBS) Societies

B

Broadband and telecommunications providers
BT
Bus Companies / Operators
Business/employers

C

CADW
Campaign for National Parks (CNP)
Campaign for the Protection of Rural Wales (CPRW)
Canals and rivers trust,
Chambers of Commerce
City Region Boards.
Civil Engineering Contractors Association Wales
Commissioners
Confederation of British Industry (CBI)
Council for Economic Renewal

D

Department for Environment, Food & Rural Affairs (DEFRA)
Delivery sector professionals
Digital communications specialists
Digital infrastructure providers
Dwr Cymru Welsh Water,

E

Economic Development Boards,
Education Sector
End- User groups / Organisations
Energy Distribution Network Operators
Environment Agency
Equality / social organisations.
Equality Groups

F

Federation of Small Businesses (FSB)
Financial investors e.g. City Institutions & Economists
Fire
Flood defences
Fuel Poverty Coalition Cymru (FPCC),
Future Generations Commissioner,

G

Growing Mid Wales Partnership,

H

Health and Safety Executive (HSE)

Health Boards

High Speed 2 Ltd

Highways England

Hotel

Housing developers

I

Institution of Civil Engineers (ICE)

Industry Wales

L

Local Authorities

Local Planning Authorities.

M

Mersey-Dee Alliance

Ministry of Defence (MoD)

N

National Development Framework

National Grid

National Park Authorities

National Procurement Service

National Health Service (NHS)

Natural Resources Wales (NRW)

Network Rail

North Wales Economic Ambition Board (NWEAB)

O

OfCOM,

OFGEM

OFWAT

One Voice Wales

P

Planning

Police

Ports / Harbour Authorities

Private sector organisations

Public Health Wales

R

Rail Delivery Group

Rail Operators

Railfuture

Ramblers Association
Regional Transport Authorities
Regulators
Retail associations
Royal Society for the Protection of Birds (RSPB)

S

Scottish Executive
Scottish Power.
Severn Trent Water
Sustrans

T

Town and Community Councils
Trade associations
Trade associations
Traffic Wales
Transport for the North
Transport for Wales

U

UK National Infrastructure Commission
UK Government

V

Value Wales

W

Water boards
Water Services providers
Welsh Government Departments
Welsh Local Government Association (WLGA)
Western Power Distribution
Wildlife Trusts
Woodland Trust
Wye and Usk Foundation
Wye Catchment Conservators

Y

Youth Hostels Association (YHA)

ANNEX C – SUGGESTED AREAS OF RESEARCH FOR NICfW

Suggested Areas of Research for the National Infrastructure Commission for Wales to Consider	
Roll out of 5G in Wales	Capacity of rural areas to use natural resources to promote sustainability
Digital connectivity and Broadband	Use of resources towards sustainable affordable housing in rural Wales
Improvements to Mobile connectivity and coverage	Skill requirements
Potential amendments to the planning system to reflect digital inclusion.	Material requirements and availability
Cardiff Airport Passenger Duty	Influence of digital communication and transport infrastructure
Impact of green energy schemes in or adjacent to Wales' designated landscapes.	Changing patterns of consumption, production, and supply
New infrastructure in other countries	Development of, and changes in human settlements within Wales
Data gathering for issues of national importance, such as climate change or flooding.	Climate change and its impact on current and planned Welsh infrastructure, water management, and economic activity
Telecommunication infrastructure connections to rural communities.	Digital infrastructure to support 5G and the digital economy.
Interdependencies across the heat and transport sectors	Impact of loss of EU funds on financing of infrastructure post 2020
economic benefit of social infrastructure	Financing options for new infrastructure.
potential equalities impact of infrastructure investment	Infrastructure needs in Powys.
interdependency of infrastructure networks.	Linkages between energy demand management and energy supply needs
Anticipated volumes of people	Sustainable supply of indigenous resources
Food requirements	Analysis of the macro benefits of enhancing domestic energy efficiency within the UK context.

impact of Brexit on infrastructure needs	A 'Headland Link', linking the Cardiff Bay Barrage, with Penarth Esplanade
Assess value for money of public expenditure.	Interface between infrastructure provision and housing supply
Assessment of the existing infrastructure in Wales.	Transport modelling techniques utilising the emerging area of mobile phone data and real time GPS information.
Demand management in relation to infrastructure.	Tools for effective evaluation of economic viability and vitality with the urban retail sector relative to transport infrastructure and access.
Infrastructure fit for a low carbon and circular economy (2050 and 2100 target).	Quantifying health and environmental benefits of active travel modes to inform the revised WelTAG process.
Infrastructure and environmental pollution.	Adapting existing land use planning and policy protocols to better reflect infrastructure requirements in the context of the Wellbeing and Future Generations Act.
Social costs of infrastructure developments	Flood risk management
Links between North Wales and the North West of England	Development of a 'Vision for Wales' setting out what needs to be achieved to grow our economy and infrastructure needed to deliver it.
Impacts of widespread pollution of agricultural land from anaerobic digestate	The impacts of renewable energy targets on landscape and biodiversity and rural amenity in the Welsh countryside
Financial viability of wind and solar given intermittency and low sunlight.	Loss of upland and other endangered habitats
Opportunities for energy saving and decreased private transport use.	Impact on tourism and viability of rural communities