

DRAFT NOTE OF A MEETING OF THE NATIONAL PLANNING FORUM

WEDNESDAY JUNE 23rd 2010

LOCAL GOVERNMENT HOUSE, SMITH SQUARE, LONDON

58 members and guests attended and there were 13 apologies for absence – names recoded in the Minute Book.

All the presentations made at this meeting can be viewed at www.natplanforum.org.uk/pres2010.html

1. Welcome and opening remarks

Councillor Mike Haines, Local Government Association, Chair of the National Planning Forum and NPF Vice-chair (Local Government) welcomed members and guests and in particular Bob Neill MP - Parliamentary under Secretary of State, Department for Communities and Local Government, who was paying his second visit to the Forum and his first following the recent general election and the establishment of the Coalition Government.

2. Bob Neill MP - Parliamentary under Secretary of State, Department for Communities and Local Government addressed the Forum and answered questions following which there was a discussion.

A copy of his formal address is attached as an appendix to this note of meeting.

In the discussion that followed:

- Cllr Mike Haines (NPF and LGA) asked the minister to comment on the role the NPF and its constituent members could play in the preparations for the forthcoming Decentralisation and Localism Bill. Bob Neill (BN) suggested that the pre-legislative scrutiny arrangements might well provide a formal opportunity for evidence to be presented and encouraged organisations to write to him and Greg Clark at any time – he wanted to encourage a dialogue.
- Tony Fyson (TCPA and Planning Magazine) asked BN to comment on possible arrangements to deal with planning at the 'intermediate level' between the local and national and the 'chaos' caused by the peremptory abolition of regional planning without consultation or transitional arrangements following the Secretary of State's recent letter. BN made it clear that abolition of regional strategies had been in the Conservative Manifesto and was a key element of the Coalition agreement. A speedy statement of intent gave a clear signal of the direction of travel, especially to local government, where he expected there to be examples of voluntary joint-working. The objective was clear, there was no drift and now was the time to address the practical issues of delivery in the light of the clear indication that had been given.
- Cllr Dorothy Thornhill (Elected Mayor of Watford and LGA) asked whether BN envisaged any change in the role of the Planning Inspectorate in the light of the Government's proposed changes to the planning system. BN stated that he did envisage changes to the Inspectorate operation in the light of the localism agenda, because it was important that decisions were made locally as far as possible.
- Kate Henderson (Chief Executive TCPA) asked whether there would be a re-consultation in respect of the draft National Policy Statements for Energy and Nuclear Power – which had proved controversial particularly in relation to consultation and democratic legitimacy - in the context of the proposed National Planning Framework. The minister did not envisage a further round of consultation and pointed out that in relation to NPS's CLG were facilitators rather than the main policy driver as other departments were responsible for the

production of NSP's; however, the Coalition was concerned that NPS's received proper Parliamentary scrutiny and democratic legitimacy and it was the government's intention that all NPS's would be subject to a substantive vote in Parliament.

- Tony Burton from Civic Voice welcomed much of what the minister had said; but was concerned that localism will require planners to learn new skills as enablers and to give support to local communities. This would take time and inevitably the re-skilling agenda would run behind the legislative programme. BN recognised the issue and emphasised the need to roll-out good practice, like Enquiry by Design and Charrettes, in a systematic way. He also thought that local authorities would be incentivised to acquire the skills for community engagement in order to get community support for development that will release financial benefits to be spent in the local community.
- Mhora Samuel (Director, Theatres Trust) hoped the minister would encourage cultural planning in partnership with DCMS as sport, leisure and arts facilities were important to local communities. BN thought this was an important point. He recognised the value of culture and theatre and had already had discussions with ministers in DCMS to ensure the point would not be lost.
- Giles Dolphin (GLA) understood that government acknowledged the regional planning that takes place in London and intend that it should continue, in part because it was the subject of democratic decision-making through the Mayor and Assembly – he asked whether the minister envisaged similar arrangements being supported elsewhere in the country. BN recognised that London was a different place where different arrangements would apply because there was direct democratic legitimacy in relation to strategic planning and because Greater London had cohesiveness and homogeneity. Unlike the others, it was a recognisable region.
- Mike Hayes (NPF) sought ministerial support for any NPF initiative to explore the operation of localism. BN was very relaxed about this idea so long as there were no financial consequences.
- Graham Jones (POS) enquired about the government's intentions in relation to local tariffs, where there was a hiatus around the previous government's proposals for the Communities Infrastructure Levy. The minister was unable to respond in detail because budget issues were still under discussion; but he promised that a response would be forthcoming in the near future. It was important that the issue was handled correctly.

At the close of the session Cllr Mike Haines thanked Bob Neill for his willingness to address the Forum and answer questions.

Following Bob Neill's address Cllr Mike Haines brought forward agenda **Item 5 - RTPI/Planning Officers Society – Coalition for Strategic Planning** - and introduced Richard Summers, Senior Vice President of the RTPI, to update the Forum on the RTPI and POS initiative to form a 'Coalition for Strategic Planning' with partner organisations.

Richard explained that the purpose of the Coalition was to explore alternative ways of enabling a 'strategic' planning process located between the local and national levels; but this should not be interpreted as a call to retain the current system. The Coalition sought an active dialogue with government and other partners to explore ways to make strategic planning work. The Coalition for Strategic Planning would be looking for fresh thinking, jointly with government and wanted to explore transitional arrangements.

Brian Waters (LPDF and ACA) commented that the London Planning and Development Forum had discussed the French system where the three tiers of governance co-operated successfully on a voluntary basis. He urged that the coalition for Strategic Planning bore this in mind in considering the proposed statutory Duty to Co-operate proposed by the Coalition Government.

Graeme Bell (Planning for Real) responded that local authority budgets would be hard hit in the coming year and wondered if a way forward, especially for small district Council, was to share expertise along French lines.

Michael Coupe (RICS) observed that local government arrangements were no longer coherent and, particularly, that there was no longer systematic coverage at county level; he wondered whether there was a case for the return of

standing conferences which, particularly in the South East, would allow recognition of London's influence beyond its administrative boundaries.

Liz Peace (BPF) agreed with Tony Fyson's earlier point and opined that in addition to transition arrangements in relation to strategic planning there were a series of topics that needed to be addressed at a higher level than individual local authorities. These needed to be set out in a way that was helpful to ministers. There was a danger that confusion had been created which would cause a slowdown in plan preparation. There were many things in regional strategies that should not be lost, such as minerals, waste, water, retail and infrastructure policies. There was a need to find ways of preserving the valuable work that had been done in the era of RSS's. There was a case for encouraging local authorities to get together on a voluntary basis to take forward appropriate elements of regional strategies; however, the language that was used in this discussion needed to be chosen carefully.

In concluding the discussion Cllr Mike Haines pointed that while authorities in the South West struggled to share the same issues as those at a great distance within the region, there was strong support for 'extended localism' to enable adjoining authorities to work together. In Teignbridge DC members were making decisions using the evidence base of the strategic housing market assessment and the policies of PPS 3, notwithstanding the imminent withdrawal of RSS guidance, heralded in Eric Pickles recent letter. He had recently chaired an LGA Flood Risk Management Committee meeting where concern had been expressed about the likely difficulties in managing flood risk and rising sea levels in Lincolnshire following the demise of regional strategies and structures. It will be necessary to create new mechanisms.

Graham Jones (POS) reinforced the RTPI view that the Coalition for Strategic Planning was a positive rather than a negative initiative. He also endorsed the points made by Graeme Bell. It was necessary to find practical mechanisms to address cross boundary issues, where and when necessary.

Andrew Prichard (East Midlands Leaders' Board) stated that he was about to be made redundant and underlined the need to introduce new organisational mechanisms on an urgent basis to ensure that urgent work that would not go away was pursued.

Caroline Green (LGA) informed the meeting that the LGA were trying to manage some transitional issues including the legal status of RSS's and were circulating a frequently asked questions document to enable the knowledge held within the sector to address the wide range of issues that were being raised. She would value input from NPF members.

3. The work of the CRC and an overview of current issues in rural planning Graham Russell, Executive Director, Commission for Rural Communities (CRC)

Graham Russell outlined the context for considering current issues in rural planning:

- 9.8m people living in rural England
- 700,000 households below the poverty line
- Additional 0.5m over-60s between 2001-08
- 93,000 second homes
- 350,000 new households anticipated every 5 years between 2006-31
- 11,000 households added to LA housing waiting lists each year on average since 2002
- 0.5m vat registered rural businesses

On the basis of a series of case studies he outlined a series of roles and challenges for planners in rural England:

- Making things happen and using the tools of planning flexibly and in smart ways
- As local champions and positive enablers
- Shaping sustainable places
- Innovators in enabling the delivery of premises for rural business, affordable housing and community owned support services

and summarised his conclusions that in rural areas planners should focus on 'the application of planning competencies to make things happen' to:

- Provide an enabling context in terms of local plans
- Add value to already challenging issues
- Innovate and take good practice to scale
- Have a positive sense of what sustainability looks like in a rural place
- Be skilled at linking town and country

A question was asked about community land trusts and Graham indicated that a ministerial statement was awaited. The CRC supported community land trusts, although the reality was that they were producing low numbers of housing units because each scheme was being constructed in a 'bespoke' rather than 'off the peg' manner.

4. Updates from the Executive Board

The Secretary

The Secretary provided an update on a number of initiatives:

- **'Improving the Connection'** - the NPF report on Planning and Building Control. The promised final report was not yet available; but was close to completion. The Secretary gave a short presentation on the report's content and recommendations. The difference in the way the two services were delivered, with planning decisions made only by local planning authorities and building regulation approval available from building control bodies in both the public and private sectors, was a difficult issue central to any proposals for further integration of the two services.

The report proposes recommendations around:

- Clarity of objectives shared by the two services
- Clarity around each service's distinctive role to avoid duplication and overlap
- Putting planning and building control in local government on a more equal footing
- Improving the understanding of each service
- Improving joint-working within local government
- Better co-ordination of planning and building control applications for the same project
- Improved compliance and enforcement by using shared resources and opportunities
- Using development management to encourage earlier engagement of building control advice, particularly in major projects
- Possibly making building control a statutory consultee for certain categories of planning application
- Renaming the Planning Portal to express better that it carries both planning and building regulation information

The final draft report would be issued in the near future and it was hoped the Board would approve it in due course.

- **Culture Change Action Plan Monitoring** – this was being held in abeyance while we wait for further clarity on the new Government's agenda for planning. We needed to ask in the new circumstances, 'What is the culture for which culture change is required?'
- **Website refresh** – Dave Chetwyn, Vice-Chair for the Voluntary Sector was leading on this and a brief for the website 'refresh' was being prepared. Views on the website were requested from Forum members.
- **Newsletter** – a first edition had been produced. The aim was to produce it on a monthly basis. Comments on its quality were requested and Forum members were invited to make use of it.
- **NPF at the 2010 RTPI Planning Convention** – the NPF was taking a small stand and CABE, Civic Voice, The Theatres Trust, TCPA and London Planning and Development Forum had taken advantage of the offer to display publicity and other publications. Forum members were invited to the RTPI Parliamentary reception, following the Convention.
- **Member subscriptions** – progress was being made and the Secretary was planning to talk to individual members about their organisation's subscriptions as well as developing the level of service and engagement

within the Forum. Local Authority Building Control had recently joined the Forum and their Deputy Chief Executive, Phillip Hammond was welcomed to the meeting.

5. RTPI/Planning Officers Society – Coalition for Strategic Planning

Item brought forward in the agenda – see previous note.

6. Mediation in Planning – presentation of final report

Leonora Rozee OBE – chair of the NPF/PINS project

Leonora presented an outline of the background to the project and its findings which were to appear in a report to be launched at the forthcoming RTPI Planning Convention.

Although there were barriers to the use of mediation as a technique for resolving disputes in planning, mediation represented a significant opportunity, particularly in the context of neighbourhood planning and localism. Mediation was:

- A new tool to support the Government's agenda for a radically different planning system
- The subject of increased interest in its use in planning
- Already embedded in the civil justice system
- Offering the potential to save time and money

The report contained three strands of recommendation designed to:

1. Develop and build a market for mediation
2. Provide advice and guidance
3. Develop skills and create capacity

There were no questions.

7. Draft note of March 2010 meeting

Agreed, subject to amendments to correcting the spelling of Michael Coupe's name and the details of his question, and signed by the Chair.

8. AOB

There was no further business and the Chair thanked members for their attendance and invited them to watch the remainder of the England versus Slovenia world cup game in the Bevan Lounge.

FUTURE FORUM MEETINGS IN 2010

- **October 8th**
- **December 15th**

All at 12.45pm for lunch - start of business 1.30pm at Local Government House, Smith Square, London

SPEECH by BOB NEILL MP

**Parliamentary Under Secretary of State
Department for Communities and Local Government**

National Planning Forum 23 June 2010

Good afternoon and many thanks for inviting me. I'm delighted that so many of you are here. I know that this is a **unique cross-sector forum**, with representatives from the planning profession, the private sector, voluntary bodies, and local government. A model coalition in fact! Perhaps you can give me some tips...

What I'm here to do is to offer a **positive challenge** to all of you. What we all have in common is a desire to ensure planning is at the forefront of delivering the sorts of places and communities where people want to live. What I want to talk about today is the **Government's vision** for how we can achieve that goal. Yes we think the system needs to change. But it needs your help and your buy-in to do it.

You'll doubtless have many questions but **I'd like to focus on three areas**. Firstly, you won't be surprised to hear, I want to say something about **what we mean by localism** and a decentralised approach to planning.

Secondly I'd like to talk about **what that means for the people working in planning** – how we see the roles not just of planners, but developers, local authority representatives, and third sector partners, in delivering that vision.

And thirdly I'd like to outline some of the **next steps** we plan to take so you have an idea of our programme ahead.

Localism

Some of you may have heard the Secretary of State talk about his three priorities: localism, localism, and localism. But what does this mean for planning?

I want to be clear: **we believe in planning**. Planning is absolutely critical to achieving the goals that we all want: sustainable communities well served by infrastructure, that are attractive, characterful, and where people want to live.

And **planning has its roots in a democratic system** that engages local communities. You were there at the beginning!

But in our view **the system has lost its way**. It is too centralised, too bureaucratic, and too top-down. By forcing development on local people who – often rightly – see no benefits for them, it intensifies opposition to much needed development.

We want to see local plans that truly reflect local opinion. We want to see an end to the imposition of top-down regional targets by unaccountable quangos and bureaucrats who do not have to report back to those whose lives are directly affected by their decisions.

Instead we want to see communities coming together **to take responsibility** for meeting their own housing ambitions and solving their own local challenges in a way that makes sense for them.

And in return, **they will be offered new incentives** that ensure they see the benefits of the development they welcome.

Some people say this means local authorities will duck difficult decisions. Or that they can't work together to solve bigger problems. I think that indicates a worrying paternalism and a lack of trust in local democracy. **We believe local authorities have both the mandate and the ability to get together to solve their challenges themselves** – and it is for them to decide how to do so.

So that's what localism means for planning.

The second area I need to discuss with you is:

What does this mean for the planners?

I know some of you will be worried that this means an end to professional planning as we know it. I don't agree.

What I do think it means is a **challenge** to planners – and councillors, and developers, and everyone trying to influence planning - to embrace a new role.

This is about giving communities real power and real influence. It means simplifying not just the language of planning policy and guidance, but the policy itself.

It means being absolutely **transparent** about what is in the local plan, why it is there, and how it will benefit the community.

It means working with communities to develop proposals for their neighbourhoods, not consulting them on 'options' that you have prepared earlier.

Above all it means the plan is more important, not less. This is your opportunity, as planners, to work with communities and **see your vision realised**, not superseded by targets imposed by people who don't know your local area.

Under such a system planners are the professionals who help local people get the places that they want and ensure their ambitions are delivered.

You make things happen – you always have - but too often you haven't been welcomed because the system is too adversarial and too bureaucratic for people to understand or support what has been proposed.

Under our proposals you need to be communicators, facilitators, advisors and deliverers. To me that is what planning is about. Yes, you are experts. But you need to be experts working with communities, translating their visions into action.

Finally I said I would set out our **next steps**.

We have already acted to change the policy on back gardens. We thought it was wrong that national government could say this approach was right everywhere.

If local people and their local representatives want to support development this way, they can.

That's what localism is all about.

But they should not be forced to accept it if it is not how they want their neighbourhoods to develop.

So what's next on our list? The Secretary of State has already written to local authorities to make clear our commitment to revoking Regional Strategies. We will do so at the earliest possible opportunity.

We have said in the Queen's Speech that we will introduce a localism bill to take forward our decentralising ambitions – not just those for local planning, but, crucially, restoring democratic accountability to decisions on major infrastructure.

The Government has ambitious plans to reform planning policy and publish a simple and consolidated framework covering all forms of development, including national infrastructure.

The national policy framework will include national economic, environmental and social priorities and will be presented to Parliament. National planning policy extends to over 1,000 pages alone. These reforms will give a greater say to people, communities and councils through a faster and more democratically accountable planning system.

Conclusion

Planning is one of the things that matters most to local communities. We want them to have a system they can be proud of and feel represents their wishes. And with your help we can make it happen.

Thank you.