



Barker Review Team
HM Treasury
4/E1
1 Horseguard's Road
London
SW1A 2HQ

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Dear Review Team

BARKER REVIEW OF LAND USE PLANNING

Here is a response to the Barker Review of Land Use Planning that is being undertaken on behalf of the Chancellor of the Exchequer and the Deputy Prime Minister.

Background: Institute of Directors (IoD)

The IoD was founded in 1903 and obtained a Royal Charter in 1906. The IoD is a non-party political organisation with around 52 000 members. Membership includes directors from right across the business spectrum – from media to manufacturing, e-business to the public and voluntary sectors. Members include chief executive officers of large corporations as well as entrepreneurial directors of start-up companies.

IoD responses to the Review questions

Not all of the questions in the Review's call for evidence document are answered in this response. Enclosed is a copy of a report that we prepared on the land-use planning system.¹ It was prepared in 2005, prior to the Barker Review's inception, as part of the IoD's general public policy work. It draws in part on the views of IoD members as gleaned from surveys. The response below draw on sections of that document.

Question 1. Is the planning system sufficiently flexible and/or responsive to the right signals to deliver the right development in the right place, given the changing economic circumstances due to globalisation, demographic change, natural resource pressures and environmental change? If not, what policy measures might help deliver this flexibility?

Efforts should be made to emphasise the positive aspects of many potential developments rather than focus on reasons why a development should not proceed. The energy sector provides one good example: instead of focusing on not having new facilities, the question, "Do people want future security of energy supply?" should be the main issue, in general, rather than whether there is a need for a particular piece of energy infrastructure. Easier said than done, perhaps, a better focus on "joined up thinking" is needed, so that planning procedures can more readily be part of helping progress rather than the reverse. See also chapter 3 (on pages 12-18 of the IoD Policy Paper, *Planning for success*).

¹ *Planning for success – the land-use planning system*, revised edition, IoD Policy Paper, Geraint Day, IoD, London, May 2005. Copies may also be seen at www.iod.com/policy/papers in the section headed "Transport, Environment & Energy", under the Publications heading.

2. Do you have any views on the scope of plans at the different spatial levels in England which are now emerging following the introduction of the new system in 2004? Are there further improvements to the plan-making process at the different spatial levels in England, particularly regarding the need to encourage a positive/proactive approach to planning, which was a key theme of the new plan-making system? Does the current system strike the right balance between central direction and regional and local discretion?

See the response to Question 1, above, for a comment on the "positive/proactive" issue.

3. Sustainable development is the core principle underpinning planning. Does the current system achieve the right balance between economic and other goals, such as the regeneration of areas and the promotion of social cohesion, improving the quality of design of buildings and urban environments, and the protection and enhancement of our natural and historic environment? Are some environmental, natural resource, or social considerations given too much or too little weight?

i. When it comes to rules and regulations that business must follow the application of the Precautionary Principle is often brought into play. The Principle is now used as a basis within many of the proposals for regulations at European Union level. It is in the area of new technology and environmental concerns that a precautionary approach most affects planning agendas. In certain areas of technology public fears often come to the fore. For example, public health considerations have been raised around matters such as telecommunications masts for mobile phone networks. Telecommunications is a vital component of the knowledge economy, crucially important for UK business and society in general. Mobile phones and the infrastructure for their use is but one such area. Now, any question of potential health risk is a technical one amenable to examination by adequately conducted scientific, technological and medical research. This is likely to emanate from expert national-level bodies such as the National Radiological Protection Board, the Health Protection Agency and the Independent Expert Group on Mobile Phones. Therefore it is sensible to suggest that local authorities not place undue weight on the findings of individual research projects when determining planning applications. The IoD's response in 2000 to the Government on its telecommunications mast development concurred with the Government's suggestion that "no useful purpose would be served by consulting health authorities/health boards on individual applications". Local government and local parts of the National Health Service would not normally have local expertise to add to risk estimation, so the nationally drawn up guidelines should be used. Yet that does not always stop local protests, concerns and delays.

ii. Land-use planning presents a number of other tricky issues in practice. Environmentalists and others want to minimise the emissions of greenhouse gases such as carbon dioxide. Thus in the realm of energy policy they may seek to replace fossil fuel plant with renewable technologies such as wind farms. These then run up against local concerns, plus the determined opposition of other environmentally interested bodies. Wind farms provide an interesting and perhaps counterintuitive case study in which planning policy, environmental concerns and risk-averseness of the Precautionary Principle variety converge. Within the environmental interest groups there is a now a sub-set that is apparently opposed to wind power and wind turbines, at least of the land-based type. Many environmentalists will say that they are opposed to carbon-based fuels and to nuclear power. They may also say that they want more renewable energy. Here we have an interesting mix of non-governmental and government bodies - including the Department of Trade and Industry, the Department for Environment, Food and Rural Affairs, the Ministry of Defence and the Office of the Deputy Prime Minister, with hugely contradictory policies. New Planning Policy Statement 22 (PPS 22) set out guidance to local and regional planners on how to fit wind farm applications into existing development control policies and practices. It refers to matters such as noise, visual appearance and effects on nature. We shall see how it turns out in practice over time.

iii. See also parts of chapter 3, on pages 14-17 of the IoD Policy Paper, *Planning for success*.

5. What is the impact of planning on encouraging or impeding business investment? In this context, how would you assess the potential of recent reforms to the English planning system, which are now being implemented? Are they increasing the transparency of the system and providing greater certainty for businesses? What further reforms, if any, are desirable in order to improve the transparency and effectiveness of the system still further?

The Government's moves to speed up the system are welcome in themselves. There is still some way to go and the reforms must be continued with. See also some remarks in chapter 3 (especially on pages 17 and 18) of the IoD Policy Paper, *Planning for success*.

6. Is the planning system sufficiently "joined-up" with other related aspects of government policy? In particular, are Regional Economic Strategies delivering a clear economic framework to help inform Regional Spatial Strategies? Is there sufficient interaction between RDAs [Regional Development Agencies] and RSSs [Regional Spatial Strategies] when preparing their respective regional strategies and if not how might greater interaction be encouraged?

See some of the comments in relation to technology and on environmental issues, given in answer to question 3 above, for some examples of where it is not sufficiently joined-up.

7. Planning applications for major projects will typically take a considerable time to work through all the necessary stages. Do you consider the system puts too much emphasis on speed or do you feel that is too slow? If there is an undue emphasis on speed, what are the negative consequences of this and how could they best be avoided? If the process is too slow, what could be done to overcome delays? In particular, what improvements might be made to the planning appeal system to improve its speed and efficiency?

i. See the previous comments in answer to question 1.

ii. In an IoD member survey seeking directors' views on several public services, conducted in December 2003 and January 2004 questions were asked about the standard of service and whether it had improved over the previous three years. Planning was one of the areas looked at; local authority administration of planning. IoD members' views on public services were sought in the December 2003 *IoD News* (and via the IoD website) policy issues survey. Members were asked for their opinions on the standard of service of eleven different services. The number of respondents to the survey was 513. From those it has been possible to rank members' views of the standard of service of the eleven areas. Planning came out 9th in order of decreasing satisfaction (thought good or very good by only 16% of respondents). The findings from the two surveys showed similar opinions coming from IoD members, albeit that two different survey methodologies were used. Quality of operation of the system is important. Yet so is timeliness and the need to get away from what some may see as a certain arbitrariness within the system.

iii. Another aspect of the criticisms of the IoD's findings seemed to rest in the "producer capture" that has often manifested itself, particularly in debates about reform of public services. This amounts on occasion to those who work in public services taking it upon themselves to be the main (if not the sole) custodians of decision-making as to what is provided and how it is delivered. That point of view is unsustainable in any meaningful set of reforms that are needed of the country's public services. Business has long since learned that response to customers is vital for success.

iv. See also chapter 2 (in particular pages 7-11) of the IoD Policy Paper, *Planning for success*.

Yours faithfully

Geraint Day
Head of Health, Environment and Transport Policy

Policy Unit, Institute of Directors, 116 Pall Mall, London SW1Y 5ED
Telephone: 020 7451 3286, fax: 020 7839 2337, e-mail: Geraint.Day@iod.com
Website: www.iod.com