



Campaign to Protect
Rural England

Local Democracy, Economic Development and Construction Bill [HL] CPRE Second Reading Briefing, 11 December 2008

1. The Campaign to Protect Rural England (CPRE) welcomes the Government's aspiration to increase community involvement in decision making. As set out in our publication, *Planning for People* (1999), we have always believed that the planning system exists to manage land use change in the interests of society as a whole. Only with a fully accountable, transparent process, which recognises and responds to public concerns, can the planning system retain the legitimacy and public confidence it needs to be effective.

2. In light of the benefits effective public participation can bring to the planning process we support much of Part 1 of the Bill. We have concerns, however, about some parts of the Bill and we therefore urge parliamentarians to scrutinise the Government's proposals closely, and question the implications of some of the proposed changes. Areas where we have particular concerns are set out below.

Local Authority Assessment Duty

3. CPRE understands that the aim of the economic assessment that responsible authorities will be required to undertake under clause 63 is to help facilitate sub-regional collaboration. This should also be a useful part of the evidence base on which Local Development Frameworks and regional strategies should be developed.

4. Local and regional planning should not, however, focus solely on economic growth. Equal weight should be placed on environmental and social considerations. We believe that an assessment of the environmental conditions of an area should also be required to be undertaken by local authorities. As with the economic assessment this would be a valuable element of the evidence base underpinning the development of plans.

Regional Strategy

5. We welcome the reference to good design in clause 78 of the Bill and the proposal, in clause 65, that the regional strategies should set out policies in relation to 'sustainable economic growth' in the region. The term 'sustainable economic growth' has been used previously in Public Service Agreement (PSA) delivery agreement 7, where it is defined as '*economic growth that can be sustained and is within environmental limits, but also enhances the environment and social welfare, and avoids greater extremes in future economic cycles.*' To ensure that the meaning of this term is clear when the legislation is implemented we would like to see this definition placed on the face of the Bill.

6. The mitigation of, and adaptation to, climate change are vitally important at the regional level. In order to ensure that sustainable economic growth can really be achieved, however, climate change should not be seen as a proxy for wider environmental concerns. CPRE would like to see reference to the need to address broader issues in the new strategies. We recommend that these include policies relating to the protection and enhancement of biodiversity and landscape.

7. The Secretary of State for Business, Enterprise and Regulatory Reform is the lead minister for PSA 7, which focuses on the economic performance of the English regions and defines sustainable growth as set out above. The Regional Development Agencies (RDAs) will play a significant role in the delivery strategy for this PSA. As the RDAs will have joint responsibility for developing the regional strategy, they will have a more significant role in

strategic regional planning than they have had to date. In light of this, CPRE believes that the sustainable development duty in clause 78 is not broad enough for the RDAs. It should not simply apply to their work in relation to regional planning, but to all that they do.

8. We recommend that the five elements of the purpose of the RDAs, as set out in the Regional Development Agencies Act 1998, should therefore be amended. The current caveat, which states that the RDAs are only required to contribute to the achievement of sustainable development '*where it is relevant to its area to do so*', should be removed, ensuring that the RDAs are required to contribute to the achievement of sustainable development in all the work they undertake.

9. CPRE also believes that the Bill needs to be clearer about community involvement in developing the new regional strategies. Clause 69 sets out that a statement regarding community involvement should be prepared and published. It is unacceptable that the decision about who should be consulted is left to the responsible regional authorities.

10. Environmental, social and economic stakeholders have played a vital role in the development of Regional Spatial Strategies to date. They should play an important role in regional planning in the future. We do not believe that leaving the responsible regional authorities to involve 'persons who appear to them to have an interest' in the development of regional strategies is sufficient to secure public confidence in their role.

11. Finally, with regard to the regional strategy it is unclear why the Government has proposed that the term 'regional planning body' should be replaced by 'responsible regional authorities'. We would like to see clarification of why the RDA and the Leaders' Board cannot be jointly designated as the 'regional planning body', a term which was introduced only recently by the Government in the Planning and Compulsory Purchase Act 2004. We would also encourage further consideration of the use, and scrutiny, of the implementation reports the responsible regional authorities will be required to prepare annually.

Economic Prosperity Boards

12. We understand the Government's desire to facilitate means of sub-regional collaboration. We would welcome clarification, however, about the potential roles of, and the differences between, the Economic Prosperity Boards (EPBs), combined authorities and Multi-Area Agreements (MAAs). We do not feel that the relationship between them is currently sufficiently clear from the Bill.

13. CPRE is particularly interested in the potential functions of the Economic Prosperity Board. The Bill sets out powers by which the Secretary of State may provide for a function of a local authority to be exercisable by the EPB. The Bill also makes clear, however, that an EPB must perform its functions with a view to promoting the economic development and regeneration of its area. We believe that the functions that can be passed to the EPB should be limited within the legislation. We do not believe that planning powers, for example, should be passed to the EPBs because this function needs to take account of wider considerations and should not be undertaken with the overriding purpose of economic development.

Conclusion

14. We welcome the Government's aspiration to increase community involvement in decision making. We are concerned, however, that these proposals place undue weight on economic considerations. If economic factors were to override environmental and social considerations in land use planning at the local and regional level they are unlikely to secure long term sustainable development.

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