



RTPI

mediation of space · making of place

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Miss Ohita Bare
Europe & World Trade (EWT2)
Department of Trade and Industry
Bay 4123
1 Victoria Street
London SW1H 0ET

31 July 2006

Dear Ms Bare,

**ROYAL TOWN PLANNING INSTITUTE COMMENTARY:
LANCASTER HOUSE LISBON STAKEHOLDER CONSULTATION**

The Royal Town Planning Institute (RTPI) was an attendee at a workshop for Lisbon stakeholders, held at Lancaster House on 24 July 2006.

Following an email exchange with DTI on 25 July, it was agreed that RTPI could provide a written commentary on its participation in the process, by close of business on 31 July. This letter encloses that commentary.

A copy of the enclosure has already been provided under separate cover from the RTPI to the Rt Hon Geoff Hoon MP, Minister of State for Europe and to the Rt Hon Yvette Cooper MP, Minister for Housing and Planning.

I would be grateful if a copy of this letter and the enclosure could also be provided to the senior Civil Servants present at the Lancaster House event, namely, Ms Shan Morgan (FCO), Steve Field (Treasury), Julian Farrell (DTI) and Fiona Kilpatrick (DWP).

If you have any questions about the enclosed response, please contact Rynd Smith on 020 7929 9478.

Yours faithfully



DIGITALLY SIGNED BY RYND SMITH
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Rynd Smith
Head of Policy & Practice

Enc.

IMPLEMENTING LISBON AND THE UK NRP

A COMMENTARY BY THE ROYAL TOWN PLANNING INSTITUTE

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PART 1: SUMMARY

1. The Royal Town Planning Institute considers that In developing the UK National Reform Programme (NRP) to implement Lisbon, the UK government should:
 - recognise the core role of the planning system in articulating sustainable national, regional and local visions that encourage the delivery of growth and jobs; and
 - prepare a national spatial framework as a foundation stone for better regulation in sustainable development decision making.
2. In facilitating practical exchanges between EU stakeholders in spatial planning and maximising the growth and jobs benefits to be obtained from these, the UK government should:
 - add its weight to ECTP calls for harmonisation of training and practice requirements for spatial planners throughout Europe; and
 - support further research and exchange between spatial planners and spatial planning institutions, to ensure that UK and EU Member States spatial policies are brought ever more closely to harmonised and sustainable bases, providing for enhanced, place-based competitiveness.
3. Future UK government Lisbon and related consultations should:
 - be more joined-up as between institutional stakeholders in 'better regulation';
 - demonstrably and effectively represent an appropriate range of stakeholders;
 - use consultation methods that extract the best value from participants;
 - provide clear advice to participants about the consultation process; and
 - implement the Cabinet Office Code of Practice on Consultation.

PART 2: RESPONSES TO THE LANCASTER HOUSE QUESTIONS

3.1 INTRODUCTION

4. The following material is offered to DTI as a full response by the Royal Town Planning Institute (RTPI) to the questions posed at the Lancaster House Lisbon Stakeholder Forum held on 24 July 2006. It addresses the following questions.

- What is spatial planning and how is it relevant to the Lisbon priorities and the UK NRP?
- What does the RTPI do and/or consider should be done to link to and implement the Lisbon priorities?
- What practical links does the RTPI have with stakeholders in other EU Member States and how are these put into effect?
- How can the UK government act to facilitate these links?

2.2 RTPI PROPOSED ACTION

5. The RTPI has a 'New Vision for Planning' that defines spatial planning in the following terms:

The New Vision for Planning is built around the core ideas of a planning that is:

- *Spatial - dealing with the unique needs and characteristics of places*
- *Sustainable - looking at the short, medium and long term issues*
- *Integrative - in terms of the knowledge, objectives and actions involved*
- *Inclusive - recognising the wide range of people involved in planning*

In all these matters Planning is :

- *Value-driven - concerned with identifying, understanding and mediating conflicting sets of values*
- *Action-oriented - driven by the twin activities of mediating space and making of place.*

The 'New Vision' continues to propose:

Planning involves twin activities: the management of the competing uses for space; and the making of places that are valued and have identity.

Our focus is on the location and quality of social, economic and environmental changes. In developing a New Vision for Planning we therefore use the term 'spatial planning'. We do so to emphasise that planning is as much concerned with the spatial requirements for, and impacts of, policies - even where these do not require a 'land-use' plan - as it is with land use zonings. The interrelationships, for example, of governmental policy can only be properly demonstrated by consideration of their aggregate impacts for specific places. 'Spatial planning'

operates at all the different possible scales of activity, from large scale national or regional strategies to the more localised design and organisation of towns, villages and neighbourhoods.¹

6. It can be seen that sustainable development is a core concept to this new vision, which is also broadly shared by spatial planning entities throughout the EU, constituted as the European Council of Spatial Planners (ECTP).
7. The Lisbon agenda for jobs and growth seeks, amongst other outcomes, a clear commitment from national governments to better regulation, both by way of their implementation of EU Directives and in the statement and delivery of national policy priorities to deliver jobs and growth.
8. Sustainable development is a core component of the Lisbon Agenda.

On the occasion of the relaunch of the Lisbon Strategy, the European Council reaffirms that the [...] Strategy is to be seen in the wider context of [...] sustainable development...²

9. Spatial planning systems both in the UK and in other EU Member States are a key means whereby jurisdictions ensure that physical and place-based development and regeneration proposals are delivered in a manner that integrates necessary policy considerations to deliver sustainable development in the manner envisaged by Lisbon.
10. Spatial planning is an activity that is closely relevant to national competitiveness. Planning provides the framework within which nations, regions and localities articulate their physical, social, economic and environmental visions. These visions in turn facilitate proposals for infrastructure and business development and provide enjoyable, liveable places that in turn underpin economic wellbeing and inward investment. Plans provide the certainty that enable investment, growth and jobs to be delivered in a ways that are sustainable, by way of ensuring both environmental sustainability and the creation of efficient and enjoyable places for people. Planning provides the certainty that is necessary to identify and control risks due to public policy and environmental contingencies. Without it, private capital can lack the capacity to deliver the development that make places competitive, that provide growth and jobs.
11. The RTPi considers that the effectiveness of a place in terms of national competitiveness and in terms of its capacity to provide new growth and jobs, will depend on the clarity and efficiency with which its national, regional and local spatial visions are expressed and implemented. It will also depend upon the relationship between spatial planning systems at the national or lower tier in one EU Member State, and the system in others. For example, if one Member State clearly expresses a policy vision and implementation tools to support the sustainable infrastructures that underpin trade, jobs and growth, it is

¹ From the RTPi 'New Vision for Planning': <http://www.rtpi.org.uk/about-the-rtpi/vision.pdf>

² From Presidency Conclusions, European Council, Brussels, 22 and 23 March 2005.

arguable that place will be a more effective 'place competitor' than a Member State whose planning framework is less clear.

12. In this regard, the RTPI notes that a substantial number of Member States within the EU have national spatial planning frameworks, documents and systems which outline, amongst other things, the national sustainable development priorities for that Member State. Within the framework of the UK, Scotland, Wales and Northern Ireland also have national spatial strategies. The UK and, within it, England, are conspicuous in not articulating a national spatial vision.
13. It is therefore not substantially surprising that Lisbon stakeholders at the Lancaster House forum who were concerned with the national competitiveness of the UK, but not necessarily concerned to speak for spatial planning, identified that the UK and England are not perceived as being effective developers of the major (largely transport) infrastructures that are necessary to support inward investment, growth and jobs. Concerns expressed at the heart of the 'Barker 2' review of planning interim report, or in the recent DTI sponsored Energy Review, underpin this view.
14. To provide examples, the lack of a national air, rail, water or energy investment framework that examines the performance that is expected of development to be broadly sustainable and where such development should be located, has resulted in instances of major and arguably much needed development proposals experiencing delay in planning decision making. Heathrow Terminal 5, Dribden Bay and Sizewell B power station provide examples of planning approval processes that visibly take a long time to resolve and have sent signals to markets that the UK does not have a sound infrastructure investment strategy.
15. In the RTPI's view, the issue that arises from such processes is the need for a clear and targeted national infrastructure programme, in which questions of infrastructure need, mode, broad sustainability and indicative location are addressed in a high level strategy, leaving detailed development approval to consider much more closely the issues of immediate site impact and mitigation. Similarly, there is a need for approvals processes that take place at the most appropriate level of government to facilitate the efficient implementation of a national infrastructure programme. In the view of the RTPI, this should be the core business of UK National Reform Programme (NRP) for better regulation.
16. In its 'Uniting Britain' project, the RTPI has recently undertaken research to examine the scope for a UK spatial planning framework³. This work, undertaken by Professor Cecilia Wong of the Centre for Urban Studies at the University of Manchester and Andreas Schulze Bäing and Alasdair Rae of the Department of Civic Design at the University of Liverpool, was completed in June 2006. It illustrates that a small team can existing social, economic and environmental spatial data on a UK scale to illuminate issues and trends that are highly relevant to the competitiveness of the UK and of places within it and to the

³ A full copy of the RTPI 'Uniting Britain' report can be viewed and downloaded from <http://www.rtpi.org.uk/resources/publications/spatial2.pdf>.

formulation, for example, of a national infrastructure investment programme. It illustrates that this analysis can be undertaken with expedition and economy. The results provide a powerful means to illuminate sustainable development decision making at all levels of government. They could provide a sound basis for a national spatial planning framework for England and/or for the UK as a whole.

17. Spatial planning is seen by some as being a regulatory activity that should be reduced in scale or scope by 'better regulation'. It has been suggested, for example in the interim paper for the current Barker review of planning being undertaken for the Treasury, that planning policies and processes can represent a barrier to market action and hence can warrant de-regulatory action.
18. In the RTPI's opinion, this view is not supported by an examination of the evidence. On the contrary, in our view as set out in our response to the initial consultation paper⁴ in that exercise, it is necessary to better regulation that the planning system should articulate a nationally competitive and sustainable vision for the UK. In circumstances where such a vision was attenuated or removed as a consequence of domestic policy changes that were not considered in a European context, the UK and its constituent parts could be left at a substantial investment and competitive disadvantage to those regions of Europe that retain a clear spatial vision for investment, growth and jobs.
19. In regard to sustainability and the implementation of Lisbon, it must also be noted that the planning system is the means whereby the UK implements a number of key EU environmental Directives⁵. It will be important that UK planning systems and those within other EU Member States continue to implement these directives on a level playing field between Member States.
20. In delivering better regulation, the UK NRP must ensure that market competition responses to the UK and English planning systems do continue to provide policy settings that support much needed and sustainable infrastructure investment to support jobs and growth, within a climate of investment certainty that is competitive with that offered by good practice amongst other EU Member States.

2.2 RTPI LINKS WITH PARTNERS IN EU MEMBER STATES

21. The RTPI has strong links with spatial planning stakeholders in other Member States of the European Union. It seeks to use these links to:
 - further its understanding of shared issues and agendas for spatial planning in Europe; and
 - build opportunities for policy, regulatory and institutional harmonisation.

⁴ See <http://www.rtpi.org.uk/resources/policy-statements/2006/mar/pol20060319.pdf>

⁵ For example see 85/357/EEC (Environmental Impact Assessment), or 2001/42/EC (Strategic Environmental Assessment).

- In this regard, the RTPI's links are closely relevant to the implementation of the Lisbon Agenda.
22. The RTPI was a founder member of the European Council of Town Planners – Conseil Européen des Urbanistes (ECTP - CEU). This European peak entity was formed in 1985 and RTPI has been and remains a very active member.
 23. The position of Secretary General of ECTP has been held by a senior member of staff of RTPI from the its inception to the present. RTPI Secretary General David Fryer held the position from 1985 to 1996 followed by RTPI Secretary General Robert Upton from 1996 to 2005 and RTPI Director Debbie Sorkin since 2005. The Secretariat of ECTP is based in the RTPI administration.
 24. The ECTP is constituted under Belgian law as an *association internationale scientifique sans but lucratif* (international not-for-profit interest group), and its registered office is in Brussels.
 25. In 2005, ECTP changed its official name to “European Council of Spatial Planners” to reflect changed attitudes and terminology in spatial planning, broadly shared throughout Europe. It retains the ECTP acronym as it is generally known by this around Europe. There was no corresponding change to the name in French.
 26. One of ECTP's key outputs in recent years has been the revision of the Charter of Athens. This 1930s document, inspired by Le Corbusier and the Conférence Internationale de l'Architecture Moderne, had a strong (and many would argue negative) influence on European town planning, especially in Eastern Europe. Much as the RTPI has outlined its 'New Vision for Planning' within the UK context, ECTP has been determined to create a new, humane vision of planning for 21st century European cities. In 1998, it produced a New Charter of Athens, also promising a quinquennial review of this document. The first complete review was unveiled in Lisbon in 2003. The text of these ECTP documents is on the ECTP website hosted by RTPI⁶. Copies of the text of the New Charter of Athens are available in a bilingual English-French edition from RTPI.
 27. The next important ECTP commitment in this area is to produce a similar “Vision for the 21st Century” at the regional scale. The Dutch President of ECTP, Jan Vogelij, has launched a Task Force on "Regional Planning Towards Territorial Cohesion". In the appendix is a note about this working group, and a copy of Jan Vogelij's discussion paper which launched it.
 28. At intervals over the last 6 years, ECTP has held successful and well-attended seminars on European spatial planning topics:
 - What Does Europe Want from the Next ESDP? London, October 2003.
 - Realising Europe Through Its Cities & Regions, Paris, November 2002.
 - Territorial Impact Assessment, Louvain-la-Neuve, October 2001.

⁶ See <http://www.ceu-ectp.org/e/athens/>

- Spatial Planning and EU Enlargement, Warsaw May 2001.
- ESDP, London December 2000.⁷

29. Wolfgang Tiefensee, the German regional planning minister, has expressed the view that developing approaches to spatial planning will have a key role to play during the German EU Presidency, and particularly at the inter-ministerial EU conference on Territorial Cohesion to be held in May 2007 in Leipzig. RTPI anticipates working closely with its European partners through ECPT to assist the development of this agenda.

2.2 UK GOVERNMENT ACTION TO FACILITATE LINKS

30. The ECTP has facilitated a very effective interchange of spatial planning knowledge between professional and academic institutions in EU Member States. Language barriers and the lack of standard professional recognition for spatial planners, town planners, urbanists and related regeneration professionals across Europe have tended to reduce the number and effectiveness of individual knowledge and professional exchanges. In fact, it appears that the most effective individual linkages are still being constructed between planners in the UK and in other jurisdictions that share a common law tradition and or English as the language of administration. These jurisdictions are largely outside the EU.

31. There also appear to be substantial barriers to free professional movement for spatial planners within Europe that inhibit our ability to share good practice and reduce the development of exchange opportunities.

32. The UK benefits substantially from planning practice that is undertaken by trained professionals, subject to a publically available Code of Professional Conduct, both of which are underpinned by the RTPI's membership structure and requirements. This position is reflected in approximately half of the EU Member States. It follows that there is no common EU recognition of a professional discipline of spatial planning. Nor are there common training requirements or common recourse for the public to a Code of Professional Conduct or ethics, or means of resolving professional complaints. This absence also makes it difficult for individual spatial planners to be exchanged or even to undertake professional engagements in different EU Member States, without substantial retraining and qualification.

33. The ECTP has agreed⁸ that it is desirable to seek greater harmonisation of spatial planning qualifications and training between EU Member States, both in terms of harmonising the expectation and quality of service between States and providing for the flow of labour between States.

34. The UK Government could greatly assist by supporting ECTP moves towards the harmonisation of spatial planning qualifications and training within the EU. It could also assist by supporting the free movement and exchange of spatial planning professionals between EU Member States. In the view of the RTPI and ECTP, this in turn would fertilise

⁷ Conference proceedings can be found at <http://www.ceu-ectp.org/e/conf.html>.

⁸ ECTP General Assembly at Bled, Slovenia, November 2005.

the better regulation debate by enabling a much closer identification of good practice between EU Member States. It would particularly assist in the regeneration of new Member States from the former eastern bloc.

Recommendation 1:

In developing the UK NRP, the UK government should:

- (a) recognise the core role of the planning system in articulating sustainable national, regional and local visions that encourage the delivery of growth and jobs; and***
- (b) prepare a national spatial framework as a foundation stone for better regulation in sustainable development decision making.***

Recommendation 2:

In facilitating practical exchanges between EU stakeholders in spatial planning and maximising the growth and jobs benefits to be obtained from these, the UK government should:

- (a) add its weight to ECTP calls for harmonisation of training and practice requirements for spatial planners throughout Europe; and***
- (b) support further research and exchange between spatial planners and spatial planning institutions, to ensure that UK and EU Member States' spatial policies are brought ever more closely to harmonised and sustainable bases, providing for enhanced, place-based competitiveness.***

PART 3: RESPONSE TO THE LANCASTER HOUSE PROCESS

4.1 INTRODUCTION

35. The following issues arise from the Lancaster House forum process that the RTPI wishes to draw to the attention of the Minister for Europe and the sponsoring departments.
- The RTPI considers that it is relevant to engage a wide range of built environment stakeholders in UK, nation, regional and local government and peak bodies within the development of better regulation. It is not convinced that the Lancaster House process was sufficiently broadly based in this regard.
 - The Lancaster House process did not appear to be based on a sufficiently rigorous stakeholder engagement strategy.
 - Similarly, it did not appear to take sufficient account of the Cabinet Office Code of Practice on Consultation, or to be part of a broader exercise which did so.
 - There are therefore substantial opportunities to develop and enhance the stakeholder consultation around Lisbon and the NRP in any future rounds.

4.2 THE RANGE OF STAKEHOLDERS

36. The RTPI wishes to thank the Rt Hon Geoff Hoon MP, Minister of State for Europe and the four sponsoring departments of the Lancaster House event for its opportunity to participate in this important review of Lisbon performance and evaluation of the UK NRP. The RTPI was heartened to observe a very broad range of stakeholders present at the event.
37. That being said, the RTPI does wish to communicate some concerns about the process as it was delivered, leading to positive suggestions for better stakeholder engagements in future rounds.
38. The RTPI has highlighted above its strong view of the core role that 'better regulation' has to play in developing the market competitiveness of the UK and in responding to the Lisbon agenda. In the RTPI's view, better regulation requires to be delivered in a manner that evaluates the performance of existing regulation and opportunities for reform, on a sound evidence base. That evidence base should naturally include the responses to regulatory systems of those who currently design, manage and use those systems.
39. Within the fields of spatial planning and environmental management, the RTPI identifies that the Department of Communities and Local Government for England (DCLG), the Scottish Executive Development Department (SEDD), the Welsh Assembly Government's Department of Environment, Planning and Countryside (DEPC) and the Northern Irish Department of the Environment (DoENI) should be key stakeholders in delivering better regulation. Local and regional government should also be represented. The Welsh Assembly was represented by a single delegate at Lancaster House and local government were represented by some individual and one substantial (English) peak body delegation. There was no evidence of the other stakeholders listed having a presence, or playing the

more direct part that the RTPI would have hoped in the ongoing development of an agenda for better regulation.

40. Similarly, across England and the UK as a whole, the RTPI would have expected to have seen some involvement from the Department for Transport (in recognition of the critical role of transport infrastructure) and DEFRA (in respect of the developing marine spatial planning agenda and related ports, minerals and trade considerations).
41. In terms of private sector and investment related stakeholders with interests in better regulation in the built environment, the absence of entities such as the Construction Industry Council (CIC) and the British Property Federation (BPF) was also noted, as was that of a broad range of the RTPI's sister entities, such as the Royal Institution of Chartered Surveyors (RICS). Similarly, major community-related stakeholders in the built environment such as the Civic Trust or Urban Forum were not represented.
42. The RTPI considers that there is much to be gained in better regulation for the built environment through partnership working. We would urge on the DTI and the Lisbon sponsor departments the need to engage more broadly with the stakeholders in this area in future consultation exercises.
43. In this regard, the RTPI would also note that its own participation at Lancaster House was somewhat accidental: due more to the effectiveness of our own networks in identifying the potential value to us of participation, than to a conscious decision by the sponsoring departments to engage built environment stakeholders. It is possible to speculate that the other stakeholders represented at Lancaster House were more broadly representative of those with efficient government relations/communications networks than of those with the most desire to engage with and/or add value to the Lisbon process.

4.3 METHODS OF STAKEHOLDER ENGAGEMENT

44. The Lancaster House forum, being so broadly based and reliant on plenary contributions, also left participants with limited opportunity to contribute to the debate at anything other than the highest level. The RTPI representation noted that very few stakeholders made more than a single contribution. A considerable number of stakeholders made no contribution at all. Very few participants had the opportunity to draw together and illustrate a soundly based view, relevant to the outcomes sought by the sponsoring departments. It was this underlying view of the approach taken to the Lancaster House forum that led the RTPI to contact DTI on 25 July and request the opportunity to make this written submission: an opportunity that was granted on the basis of the submission being made by close of business on 31 July. However, conversations with other stakeholders at Lancaster House suggest that this underlying view was shared by a number of participants.
45. There would be value in the sponsoring departments forming a clear 'stakeholder engagement strategy' under which they draw in participants in Lisbon review processes. Such a strategy should provide a reasonable opportunity for new stakeholders to become aware of and engaged in the process. Whilst the RTPI does not necessarily advocate that

a written engagement process should always be provided, it should be made clear what consultation process is intended to be used, what its terms of participation and duration are. The Lancaster House process did not make itself clear in this regard. If workshop or related processes are to be used, it would be valuable for the sponsoring departments to investigate formats that enable stakeholders to break out into more focussed groups, through the medium of which more detailed and supported verbal contributions could be made.

46. If written submissions are to be taken, again, it is suggested that this should be known at the outset of the consultation and that a period longer than 5 working days should be provided to enable these to be formed.
47. The Cabinet Office has prepared a Code of Practice on Consultation⁹ that is in itself a product of the UK's regulatory reform agenda. The principles outlined in the Code are broadly relevant to consultation processes carried out to engage stakeholders in the Lisbon process and should normally, in the RTPI's view, be applied. The Lancaster House process did not on its face appear to respond to the Code of Practice on Consultation, or to form part of a wider consultation that responds to the Code.

Recommendation 3:

Future UK government Lisbon and related consultations should:

- (a) be more joined-up as between institutional stakeholders in 'better regulation';***
- (b) demonstrably and effectively represent an appropriate range of stakeholders;***
- (c) use consultation methods that extract the best value from participants;***
- (d) provide clear advice to participants about the consultation process; and***
- (e) implement the Cabinet Office Code of Practice on Consultation.***

⁹ <http://www.cabinetoffice.gov.uk/regulation/consultation/code/criteria.asp>