

## ROYAL TOWN PLANNING INSTITUTE

### **GENERAL ASSEMBLY**

NOTES of a meeting of the General Assembly held at Dexter House, London EC3N 4QN on Wednesday 14 October 2009.

PRESENT: Martin Willey (President), Ann Skippers (Senior Vice-President), Richard Summers (Junior Vice-President), Janet O'Neill (Immediate Past President), Vincent Goodstadt (Honorary Treasurer).

Don Alder, Janthia Algate, Ian Angus, Janet Askew, David Barraclough, Jan Bessell, Ken Burley, Jim Claydon, Michael Crossley, Peter Geraghty, Clive Harridge, Mike Hayes, Colin Haylock, Bernadette Hillman, Antonia James, Meeta Kaur, David Marshall, Hazel McKay, Cath Ranson, Wayne Reynolds, Gemma Rhodes, Glyn Roberts, Leonora Rozee, John Scott, Chris Shepley, Graham Stallwood, Alistair Stark, Ron Tate, Andrew Taylor, Tony Whitehead, Richard Williamson, Owain Wyn.

Guests: Baroness Sally Hamwee, Steve Hill, Michael Napier, Bob Neill MP, Joseph Ridgeon, Councillor Peter Wharf.

In attendance: Sara Drake (Managing Director) and other members of RTPI staff.

Apologies for absence: David Chapman, Charlie Collins, Nick Davies, Joanne Dutton, John Esslemont, Sandra Fryer, Jed Griffiths, Robert Hobbs, Daniel Massey, Janice Morphet, James Morris, Kevin Murray, Hector Pearson, Des Stephens, Pat Thomas, Alan Wenban-Smith, Peter Wilbraham.

*Report by Michael Napier*

### **PART A: GENERAL ASSEMBLY BUSINESS**

#### **A(1) Election of Trustees**

The President referred to the forthcoming election of Trustees and encouraged Assembly members to cast their votes.

#### **A(2) Protocol for dealing with the media**

The President referred to the protocol circulated with the agenda for this meeting and made the additional point that it was rarely if ever appropriate for the RTPI to express a view for or against individual planning applications.

#### **A(3) The RTPI and the party conferences**

The Head of Marketing and Communications, Tino Hernandez, reported on RTPI activity at the recent party conferences. The RTPI had been represented at 60 meetings, its representatives had spoken at 35 of these, its own event at the Conservative conference had been packed, the RTPI

presence had been planned and targeted, it had made a necessary contribution to the discussion of planning issues, and the profile of Planning Aid had been raised. Tino Hernandez was pleased with the level of coverage the RTPI had achieved at the conferences, although he regarded this level as standard for such an organisation. At a cost of about £6,000 he thought it good value for money.

The Immediate Past President, Janet O'Neill, voiced a massive thank you to Tino Hernandez and his team.

#### **A(4) Executive Board update**

The Senior and Junior Vice-Presidents, Ann Skippers and Richard Summers, made a joint report covering:

- Arrangements for dealing with external affairs following the departures of Robert Upton and Rynd Smith
- Arrangements for the recruitment of a new Secretary General
- Current financial situation and financial outlook, with a further weakening of commercial income expected and a consequent further squeeze on expenditure across the Institute (possibly exacerbated by a future reduction in subscriptions income, especially in the public sector)
- Review of membership classes
- New careers material
- New members' guide
- Review of members' expenses (points raised from the floor related to the apparently open-ended provision for the President and Secretary General, possible inconsistencies in advice on overnight accommodation and reduced rate fares, and lack of guidance to the Presidential team on hospitality)
- Improvements to the website, which was experiencing an enormous increase in traffic following the appointment of the new web editor
- The new Stakeholder Management System, designed to make the Institute's management of its external relations more efficient and effective
- Planning Aid – recent appointments and case statistics
- UN-HABITAT Global Report on Human Settlements 2009, Planning Sustainable Cities, the UK launch of which was due on 10 November, and which marked a significant change of attitude towards planning following years of patient work by professional planning institutes including the RTPI.

#### **A(5) General Assembly meetings**

The Senior Vice-President put to the General Assembly a suggestion that its meetings should be reduced from four to three a year, with the out-of-London meeting in May rather than July, affording members an earlier opportunity for getting to know each other, and with the formation of an editorial group of General Assembly members to help set agendas and achieve greater synergy with the rest of the Institute – a proposal which would achieve a saving of about £10,000 a year.

In discussion several points were made.

- Members were unclear as to the extent to which the proposal was driven by cost, but felt that it should not be – and the Honorary Treasurer assured the meeting that it was not.
- There was some concern that the proposal had been made orally and with no warning. The President explained however that the meeting was not being asked to make a decision, only to express views – a consultation of GA members would take place prior to the December Executive Board meeting, when both options would be considered in budgeting for 2010.
- It was suggested that the matter needed to be considered in the wider context of the Institute's governance and engagement with its membership.
- The fundamental issue was how best to identify and articulate those issues on which the Institute needed to campaign, and how the General Assembly could best discharge the key role it had to play in doing this.

#### **A(6) Audit Committee report**

The Audit Committee's report on the staff restructuring decision-making process was tabled.

The Committee chair, David Marshall, introduced the report. He went on to explain that the Committee, having completed its investigation, had identified a number of further issues which it was minded to investigate. The Committee wished to plan its meetings around key dates in the Institute's annual decision making cycle. It also wanted to consider whether its activities were consistent with its terms of reference and whether there was a case for amending the terms of reference.

Noting that the Committee's tabled report gave rise to questions relating to the role of the Trustees, the relationship between the Secretary General and the Trustees, and the importance of good administration, the Assembly agreed, as proposed in the report, that the Committee's recommendations be commended to the Executive Board and that the Executive Board be asked to report its response to those recommendations to a future meeting of the General Assembly.

#### **A(7) Update on Housing and Planning to Live with Climate Change**

The Acting Director of Policy and Partnerships, Matt Thomson, made a report on the seven commitments on climate change covering:

- Outline project plans
- The creation of five steering groups
- Action at local level
- Appointment of Network expert champions
- Publication of Networks' topic-related "landing pages"
- Working partnerships with other organisations

- Exploring ways of disseminating good practice
- Integration of climate change into criteria for awards
- Review of CPD policy regarding capacity to deliver targeted training

As regards housing his report covered:

- Engagement with Kate Barker's 2020 group
- The Housing Forum
- Dominant issues, as discussed in detail at the previous meeting of the General Assembly in July

### **A(8) Infrastructure Planning Commission (IPC)**

The Director of Professional Services, Sue Percy, gave an update on the IPC covering:

- Start date of 1 October for the IPC, covering England and Wales
- Joint working with the Scottish Government when necessary
- Applications to be considered from March 2010
- Applications to be determined only if national policy is in place
- Appointment of John Saunders as chief executive
- Appointment of the first three commissioners including Assembly members Jan Bessell and Glyn Roberts
- The forthcoming series of National Policy Statements (NPSs)
- Public consultation (over a 14-17 week period) and parliamentary scrutiny for each draft NPS
- Statements of community engagement for each application to be prepared by the application's promoter
- Local impact reports for each application to be prepared by the relevant local authorities (but with no extra resources available for this work)
- Six month period for IPC examination of each application, with a further three months for it to reach its decision
- RTPI and Planning Aid involvement in the CLG stakeholder group
- Regional contacts
- Training of IPC board members and staff by Planning Aid
- Contact with Government across all relevant departments
- Training of Planning Aid staff, in preparation for what was expected to be a significant level of activity.

### **A(9) Politics in Planning Association: a view from the local authority planning committee perspective**

Councillor Peter Wharf of Purbeck District Council talked about his experience as an independent member who had gone into local politics ten years previously over a housing issue and who was now chair of planning.

His presentation told the story of how an underperforming planning authority had been turned into a good one. He himself had played a key role in this transformation. He attributed this role partly to his being an independent, and partly to the application of sound business principles and common sense.

The authority had had a history of malpractice. Members ten years ago were generally IT illiterate. Relations with stakeholders such as local parish and town councils were poor or non-existent. Enforcement action was taken in an ad hoc manner, giving priority to those who complained the loudest. Members of an over-large planning board saw their task as representing the interests of their micro-communities, not the interests of the authority as a whole. Applications were determined contrary to officer advice without regard to legitimate planning issues. There was insufficient delegation.

The starting point in turning this situation around was looking at and learning from better authorities, South Hams in particular. A key factor was improved communication, both within the authority and between the authority and other stakeholders. Councillor Wharf saw effective communication as an iterative process in which the authority needed to be proactively engaged.

External trainers were brought in to raise the level of member understanding. The planning board was brought down from 15 to 11 members – with, as one result, more competition for places. Policy development panels were introduced bringing together stakeholders to examine issues in depth and over a period of time to help achieve understanding and agreement. Three levels of risk were introduced for enforcement action – high risk, requiring a fast response; medium risk, requiring a less urgent response; and low risk, requiring no response. These criteria were published. Members seeking to overturn officer advice were challenged to identify legitimate planning grounds for doing so and threatened with having to represent the authority at any subsequent appeal hearing. Similarly members wishing to refer matters to the planning board were required to identify the planning grounds for doing so. A new scheme for delegation laid down clear criteria for determining what should be delegated and what should be referred to members, set out in a flow chart. Member involvement in pre-application discussions was discouraged.

John Scott asked whether Purbeck District Council was the right size. Was there a case for it being subsumed within a larger entity?

Councillor Wharf conceded that it was not an ideal size, but thought that an efficient small authority was preferable to an inefficient big one.

Janet O'Neill, as a consultant herself, suggested the use of consultants to represent the authority when officer advice had been overturned.

Councillor Wharf said that threatening members with representing the authority was an effective way of concentrating their minds. But he also said that sometimes it was legitimate for members to overturn officer advice, particularly when issues were finely balanced or when members gave greater weight to certain issues than officers had done.

Jim Claydon asked where the authority stood with regard to the delivery of housing targets.

Councillor Wharf responded with some warmth, describing the painstaking process by which the authority had reached agreement on the provision of 2,400 new homes, only to have the Secretary of State increase this figure by 2,750 on a seemingly arbitrary basis and without any of the preparatory work required of the authority.

The President thanked Councillor Wharf for an excellent and engaging presentation.

## **PART B: POST-ELECTION PLANNING**

The three main English political parties had been invited to attend the meeting, but following the postponement of the meeting from 7 to 14 October the Labour party representative had not been able to come. The Conservative party was represented by Bob Neill MP, Shadow Minister for Local Government, and the Liberal party by Baroness Hamwee, spokesperson for Communities and Local Government.

### **B(1) Presentation by Baroness Hamwee**

Baroness Hamwee emphasised the importance of local democratic engagement in the planning process. In her view the present Government regarded democracy as an inconvenience to be avoided. The IPC (Infrastructure Planning Commission) was an example of such avoidance.

She began her address by saying that for her the value of this meeting lay in the opportunity it provided for her to listen to the views of the profession. At one time she used to think that planning could do everything, but she now realised the limitations imposed by financial constraints and human nature.

Planning was essentially a positive, proactive activity, not simply a regulatory regime, and it deserved a better name. Many private individuals felt aggrieved with planning because it was not restrictive enough. Developers tended to think it too restrictive. Local councillors with no direct experience of planning committees failed to understand how planning worked and what it could achieve.

Local authority planning departments had suffered cutbacks over the years, putting pressure on staff numbers and staff salaries. This produced a vicious circle. If the planning function in local government was undervalued and under resourced it became more difficult to attract good candidates into planning jobs, leaving planning even more undervalued. Local authorities would thus lose good planners to higher earning parts of the profession, or to other countries where British planners had a high reputation.

At the local level planning was subject to the same stresses as other services: for example in the tension between local autonomy and national standards or in the need for greater certainty. Central government just could not stop interfering. This criticism was not directed specifically at the present government but at all governments, irrespective of party.

The essential question was how to involve local communities more effectively.

Communities needed to be involved at an earlier stage in the development process. Too often people realised the significance of development proposals too late in the process.

Local communities needed to have greater autonomy and freedom to set and achieve their own objectives. Local government should not be limited to the local administration of national policy. A belief in local decision making was a strong element in the Liberal approach.

The role of the local councillor could not be overstated. Local councillors could articulate the views, the aspirations, and the proposals of the communities they represented. The life blood of local democracy was dialogue between the citizens and their local representatives.

To those who doubted the efficacy of local decision making, Baroness Hamwee asked: does regional or national decision making work any better?

At the same time it was necessary to find ways of gaining local support for the provision of infrastructure.

An increasing reliance on RDAs (Regional Development Agencies) represented another weakening of democratic engagement in planning – like the IPC, and the currently increasing power of the Planning Inspectorate to intervene. The RDAs were neither democratic nor transparent, and their focus was different from that of the local communities.

Acknowledging the RTPI's seven commitments on climate change Baroness Hamwee said she was pleased to see that higher environmental standards were high on the agenda. In her view there should be no conflict between environmental standards and economic development.

## **B(2) Presentation by Bob Neill MP**

Bob Neill also welcomed this opportunity to hear the views of the profession. He thought his approach was not very different from Baroness Hamwee's.

Planning was important because it was more than technical – it was the way communities shaped themselves, both spatially and physically.

Planning had become unpopular largely because of the way it had developed. It was too centralist, like so much government in this country. England was more centralist than any comparable democracy. And planning was too controversialist. The system encouraged an adversarial approach from the outset. It needed to be recast

Localism had become a buzzword, but was important. It was a central tenet in his approach. Planning was seen as something that happened to people, whereas it should be something which was done by and with them.

At the local level a lot of what passed as planning was not real planning at all, but development control. This helped to explain planning's bad name. He would like to see members of the planning profession spend more time on real planning, instead of shuffling around minor applications.

At the regional level the RDAs were not democratically accountable and the Regional Spatial Strategies got in the way. With one or two exceptions (London, the North East) the regions were not natural units with which people could easily identify. Most people had little sense of belonging to regions such as the East of England, the South West, and the South of England.

The regions were being used as delivery vehicles for central Government targets, and in housing, for example, this had simply not worked.

He fully accepted the need for an overarching national framework and wanted to retain national policy statements, although he would make these subject to parliamentary approval. He would keep the single consent regime. And he accepted that an inquiry element was required.

But he did not accept the IPC as a separate quango lacking democratic accountability and thought that its activities should be subsumed within the Planning Inspectorate. At the same time a statutory limit should be set to the time within which the Secretary of State would be required to determine applications.

There was clearly a need for speed in the handling of big energy projects and this could be achieved through suitable transitional arrangements.

At the local level authorities must ensure that their local development frameworks were genuinely spatial. Full engagement with all stakeholders and joint working between authorities would be essential. Collaboration was the key to success. Powers and resources should be taken away from RDAs and given to appropriate clusters of local authorities.

Pre-application discussions should become an entrenched part of the process, representing good practice from the outset. The pre-determination rule was a nonsense and should be scrapped, subject to suitable safeguards to ensure probity. It was absurd that development proposals should be the subject of detailed negotiation with officers without proposers having a clue what the members might think and with no opportunity to tease out potential difficulties early on. It was equally absurd that candidates for election as local councillors couldn't say where they stood on controversial development proposals.

### **B(3) Discussion with members of the General Assembly**

Richard Summers questioned whether Bob Neill, despite his reference to spatial planning, was in reality advocating a return to land use planning, and whether his cluster approach to regional or sub-regional planning was capable of being truly strategic and achieving synergy with national policy objectives.

Bob Neill said he thought his approach could be selective in using those aspects of both land use and spatial planning that had proved useful. He saw clusters as having economic development powers and thus being able to address employment issues. With the right financial and delivery package they could work. France provided an example of the kind of local dynamism that could be achieved with collaboration between communities centred around big cities.

Baroness Hamwee, who said that she certainly wasn't suggesting the reinvention of SERPLAN, recognised the criticism implicit in Richard Summers' comment on clusters, but thought that a certain lack of neatness was a price worth paying for freeing local innovation from the stifling effects of central control.

Leonora Rozee said that there had been significant resistance to attempts at collaborative working in the past, and wondered how Bob Neill proposed to change this. She also asked to what extent he favoured a sense of direction being set nationally.

Vincent Goodstadt said that at the heart of the collaborative approach lay the problem of how to make hard decisions. He referred also to national agencies' lack of alignment with national policy objectives, making the delivery of local agendas difficult to achieve. He wasn't sure that comparison with France was helpful and suggested that the French approach was more centrist than it might appear.

Mike Hayes said that we needed political leaders who were not merely sympathetic to planning but who valued it, who had spatial vision, who recognised what planning had achieved and understood what it could achieve in the future.

The important question was where were we going? What sort of world were we trying to create? Planning could help answer that question, and could help deliver.

Baroness Hamwee said she absolutely agreed. She regarded Mike Hayes' and Vincent Goodstadt's comments as contributions to the discussion rather than questions to be answered.

As regards collaborative working, she thought that if local authorities were given wider powers with real scope for innovation and risk taking, and with greater financial freedom and flexibility, this would provide the necessary incentive to break down the resistance that had been experienced in the past.

She agreed with Bob Neill that national policy needed to be subject to democratic, parliamentary scrutiny and approval.

Bob Neill agreed with Baroness Hamwee's comments. He thought Vincent Goodstadt had made an interesting point regarding the French approach and said that this should be looked at more closely. He agreed that national agencies' lack of alignment was a problem.

Andrew Taylor said that both speakers were right to emphasise the importance of community engagement and asked what plans they had to promote community engagement, and what role they saw in this for Planning Aid.

Ron Tate said that the acid test for localism was whether it could provide sites for gipsies and travellers. He said that local authorities' role as developers in their own right should be rediscovered.

And he said (contrary to a remark made earlier by Baroness Hamwee) that pre-applications fees should be abolished. They made developers look like the bad boys. Actually most development proposals were in line with policy, and most were approved. Why should developers pay for doing what the planning authority wanted them to do? Fees were an encumbrance and should go.

Graham Stallwood said that the importance of development control at the local level should not be underestimated. For many in the community it offered the opportunity for effective (if negative) involvement in the planning process.

He made a strong plea for local authorities and their dedicated, impassioned planning staff to be allowed to get on with the job, free from the demotivating effects of untargeted cuts and constant interference and micro-management from central government.

Bob Neill agreed that Planning Aid was very important. There would be something about gipsies and travellers in the Conservative party's forthcoming green paper. As regards the local authority as developer, he was flexible in his approach. As regards pre-application fees, not everyone would agree with Ron Tate. Many developers would be happy to pay fees for a better and faster service. He agreed that central government should interfere less in the operation of local decision making.

He said that local government finances were inevitably going to be under pressure in the future, and pointed out that currently there was little or no financial incentive for local planning authorities to consent to new development.

Baroness Hamwee agreed that Planning Aid was important. Ministers said they supported it but gave it little money. Planning Aid needed to be much more widely known.

In the current financial climate there was little prospect of pre-application fees being abolished.

The public needed to have trust in the planning process. Only if the process was trusted would it be possible to sell unpopular decisions. One approach was to involve groups of local people in discussion of the issues. If only a small number of people came to accept the case for a proposed development this was a positive step towards more widespread acceptance.

A better partnership between councillors and officers was also needed. Too often there was a “them” and “us” attitude. Councillors needed to respect the expertise and loyalty of their professional staff.

Asked to sum up, Bob Neill emphasised five points. The number of controls should be reduced. Planning authorities must be prepared, and allowed, to take risks. Elected members had to believe in what they did. There had to be mutual respect between members and officers. And vision had to be restored, with planning playing a key role in giving communities real dynamism.

For her part Baroness Hamwee, endorsing Bob Neill’s summary, said that her heroes were the local people who got her feet on the ground and gave her optimism. She believed planning was an important profession. It was a profession she had often recommended to young people looking for a career. What planners did was more important than had been acknowledged.

#### **B(4) Post-discussion discussion**

After the visiting speakers had left the President asked for members’ comments on their presentations and the ensuing discussion.

Andrew Taylor said it had been a worthwhile exchange. In retrospect it was good that only two of the three main parties had been represented, as there would not have been enough time for all three.

Graham Stallwood agreed. He commented on the lack of substance in much that had been said. There was no bigger picture, and much repetition of the same few points.

Mike Hayes also thought the discussion had been better for the absence of a Government representative. It was clear that both parties were desperate for coherent ideas, giving the RTPi an excellent opportunity.

Colin Haylock said that the relationship between localism and nimbyism was a really challenging issue. Also, the RTPi needed to continue to promote the case for a national spatial strategy.

Chris Shepley, commenting that the Government’s approach to planning continued to suffer from a pronounced London and South East bias, had two messages that he particularly wanted to be conveyed to the next government.

First, whilst everyone was naturally in favour of collaboration, collaboration had not always been successful, it could waste much time and money, and it would be insane to devise a system which relied on it.

Second, whatever changes were made to the planning process it was essential to have an implementation plan showing how to get from the present system to the new system, avoiding the kind of vacuum that had been created in 2004 (and for which the profession would inevitably be blamed).

Leonora Rozee said the two political parties had almost the same basic approach, both “coming out of the same box”. Neither party proposed to abandon LDFs (local development frameworks). So the profession had better start making a success of LDFs because at present we were making a dog’s dinner of them.

Hazel McKay said she detected amongst Assembly members a feeling against localism. But it could work, and we were in danger of sounding anti-localist.

The President said that, even if this was the case amongst Assembly members, the profession at large was pro-localist.

Janthia Algate said that Growth Points had not been mentioned. They deserved attention and could be successful in drawing down funding. She also said that where community involvement had been successfully achieved statutory representations had plummeted. There was however a danger that people might be getting confused by the community engagement process and that the process might be reaching saturation point.

Glyn Roberts said there was a huge mismatch between what he read in the speakers’ CVs and what he heard them say. Their responses to members’ questions and comments were lightweight, feeding back what they had heard. There was clearly a major opportunity here for the RTPi, and the dialogue that had taken place at this meeting needed to be continued not just during the pre-election period but on an ongoing basis, at least once a year.

Mike Hayes said it was necessary to find a way of discussing the big issues at national level. It was also necessary to counter a growing mood for deregulation. The profession needed to make a convincing case to show what would happen without planning.

Janet O’Neill, who wanted to see the discussion put into a global perspective, asked for a report back to the next meeting on action taken following this meeting.

Jan Bessell suggested that the party representatives should be asked to a Planning Aid event on a live project, and invited to volunteer their time to engage with Planning Aid, all in aid of localism.

The President thanked members for their stamina and the quality of their contributions, and closed the meeting.