

# GIVE US TOOLS TO DO OUR DUTY SAY 1100 TOWN AND PARISH COUNCILS

Call for new planning guidance on large applications receives massive support

**Leiston-cum-Sizewell Town Council and the Suffolk Association of Local Councils have sparked demand for new powers for Town and Parish Councils to enable them to carry out their planning duties properly. Something they have great difficulty in doing at the moment.**



**The Rt Hon David Cameron MP – Prime Minister**

“We want to keep them (vibrant town centres) rather than see everything go out of town. There are two steps we need to take. One is to make sure local people have a real say in the planning process, so they can decide where future development goes ... ”

Hansard 8<sup>th</sup> June 2011 cols 159/60

**Yes, Prime Minister – so we look forward to your support for this proposal.**



**The Rt Hon Ed Miliband MP – Leader of the Opposition**

“I think local people should have more of a say over what happens on their high street, and that’s one of the things that we’re looking at ... they have no power against big corporations ... I think that is an issue.”

Interview on BBC Politics Show 1<sup>st</sup> May 2011

**Yes, Mr Miliband – please look no further; please support this proposal.**



**Greg Clark MP – Localism Minister**

“We are very keen indeed for parish and town councils, which represent their communities so successfully, to submit suggestions and proposals (under the Sustainable Communities Act) ... we will ensure that the duty to ‘try to reach agreement’ ... will apply to requests from parish councils.”

Hansard 29<sup>th</sup> March 2011 col 149

**Yes, Minister – and your support for this proposal will inspire other local councils to get involved. But if you try to kill it...**

**In May, Leiston-cum-Sizewell Town Council received a planning application from Tesco for an out-of-town supermarket. The Council is a statutory consultee in such matters, so its comments on the application were important. Easy enough, you may think? But consider these facts**

- The application contained a stack of documents 10 inches thick!
- It contained 10 separate consultant’s reports running into hundreds of pages dealing with environmental issues, traffic, noise, high street policy, retail diversity and other technical matters.
- All these documents supported the application.

But the Council’s role was neither to blindly accept what the applicant said, nor to reject the application because it did not like the applicant. It was under a legal duty to assess this application and give reasoned and local advice to the local planning authority.

The application raised questions that councillors wanted answers to – but they had no way of getting these. Furthermore, assessing over 1,000 pages of consultants’ reports is impossible for volunteer councillors and one fully occupied Town Clerk. Thus the council could not properly or meaningfully discharge its legal duty: with the result that possible local comments on the application were unable to be made.

So on 7<sup>th</sup> June the Town Council passed a resolution (printed overpage) that would

enable Parish and Town Councils to require large planning applicants to attend a meeting to answer questions, and cover the costs of an independent assessment of how the proposed development will affect the sustainability of local communities.

That resolution applies to all large planning applications – i.e. not just the current Tesco one. **It was neither pro nor anti any particular planning application: it was a resolution to enable the council to carry out its duty properly.**

Within a few weeks:

- Suffolk Association of Local Councils decided to back the campaign,
- 1,100 Town and Parish Councils had declared support,
- Many national organisations declared support (see overpage), and
- Evidence from across the country showed that this was a widespread problem.

Clearly there are details to be sorted out e.g. what is meant by ‘large’ and how much should the maximum cost of the report be. But that is one objective of the ‘reaching agreement’ process required under the Sustainable Communities Act.

## APPEAL TO MPS FOR HELP

This proposal is about local people having more power – an idea backed by Greg Clark, the Prime Minister and the Leader of the Opposition. We look forward to a positive response. But good ideas can get squashed in the Whitehall machine – so we ask all MPs to take the action requested in the Action Box overpage.

# THE VOICE OF PEOPLE EVERYWHERE: 1100 COUNCILS SAY 'YES'

Within a few weeks of the Leiston-cum-Sizewell resolution of 7<sup>th</sup> June over 1,100 town and parish councils had declared their support. From tiny areas representing a few hundred houses to larger town councils representing tens of thousands of people the responses flooded in.

Many added their own stories, of being ignored, by-passed or just plain lack of local power. Some of their words are printed below. It is clear that this is a national issue that has struck a nerve.

## THE FULL PROPOSAL

**The resolution passed by the Town Council on 7<sup>th</sup> June and supported by the Suffolk Association of Local Councils on 13<sup>th</sup> June and subsequently by over 1,100 Town and Parish Councils**

“We ask the current Minister at the Department of Communities and Local Government (Greg Clark MP) to make the following planning policy/guidance to apply to large planning applications in the area of a Town or Parish Council

1. That any applicant or representatives of any applicant who submits such an application that will have a significant effect on an area must, if requested by the Town or Parish Council attend a meeting of
  - (i) that Council to answer questions from elected councillors; and
  - (ii) a Town or Parish Meeting, should one be duly called, to answer questions from all electors.
2. That any applicant who submits such an application that will have a significant effect on an area must, if requested by the Town or Parish Council, or a Town Meeting, pay for the Council or Meeting to get an independent assessment carried out as to how the proposed development will affect the sustainability of the local communities.”

**Note regarding terminology:** The Council knows that terms like ‘large’ and ‘significant effect’ need to be defined and this is being discussed with DCLG. We do emphasise though, that this does NOT apply to ‘everyday’ planning applications. We also know that there must be a cap on the amount of money required pursuant to Part 2. Again this is matter for discussion: but it will be minute compared to the hundreds of thousands of pounds (perhaps more than £1 million) that go into supporting an application.

**National organisations supporting the proposal:** Association of Convenience Stores, Action for Market Towns, Black Environment Network, Campaign for Better Transport, Citizens UK, Community Matters, Conservative Environment Network, Environmental Law Foundation, Friends of the Earth, GMB, Living Streets, Locality, National Federation of Retail Newsagents, National Federation of SubPostmasters, National Federation of Women’s Institutes, National Trust, Public and Commercial Services Union, Ramblers, Rural Shops Alliance, SIBA - Society of Independent Brewers, Society of Local Council Clerks, Sustrans, UNISON, Unlock Democracy, Woodland Trust

## ACTION: APPEAL TO MPS FOR HELP

We have seen a very different attitude from some officials than when the Sustainable Communities Act was first negotiated in 2007. We welcome that. But good ideas can get lost, killed and watered down in the Whitehall machine.

So we do ask all MPs to please:

- Write to Greg Clark asking him to support this proposal; and
- Raise this in the House in any way that you can; and
- Please let us know of your support.

Thank you.

We wanted to publish the complete list on this page. But printing a list 1,100 long proved impossible and unreadable. So instead it is on our website at [www.localworks.org](http://www.localworks.org); or alternatively please email [info@localworks.org](mailto:info@localworks.org) and we will send you the full list.

The Minister, Greg Clark MP, now has a choice: he can try to kill this initiative or he can agree to it and issue the new planning guidance called for. If he does the former he will cause disillusionment

everywhere – in the genuineness of the government’s words about local power and in the Sustainable Communities Act itself.

We do not believe that Mr Clark wants this: and are heartened that negotiations with officials have started. A positive response will inspire people in the belief that the ‘little people’ everywhere can influence things. The very essence of The Big Society.

## The words of Town and Parish Councils

### 10 inches of documents in Leiston? Is that all?

“We are currently facing a large application to build what amounts to a small town of up to 3,000 properties at Martlesham, one part of which is less than a hundred metres from ... the village of Waldringfield ... I wish I could say this application was only ‘10 inches thick’. This one arrived in an archive storage box comprising many folders each several inches thick!!!”  
– **Waldringfield Parish Council, Suffolk**

This “is close to our own hearts ... We had a real problem making sense of 3 huge boxes of plans and documents, which I had to fetch from the Council Offices, because the application was actually submitted to me on a CD, which was impossible for a small parish council to deal with ...”  
– **Tibberton Parish Council, Gloucestershire**

### We just can’t cope

“Part of our parish is in a large development area and we have received applications with many detailed reports by consultants in addition to complicated plans that we do not have the expertise or the time to understand and respond to comprehensively. We are a small parish and do not have the resources to engage someone to carry out an independent assessment.”  
– **Mersham and Sevington Parish Council, Kent**

“As a clerk, and a former professor at that, I’ve felt overwhelmed ... e.g, the Local Transport Plan is 300 pages plus appendices. It runs to 50+ Mbs ... I spend many hours reading long documents to summarise the issues so my members can take decisions and make responses ... A few months back it was a waste incineration plant application ... lots of documents, lots of technical stuff ... we simply can’t keep up. But ‘they’ can say they consulted.”  
– **Woodhouse Parish Council, Leicestershire**

### This proposal would help get a balanced and sensible view

“The opportunity to challenge the proposal and ask detailed questions can be a win win situation for all parties. For the public and PC it increases our

knowledge so makes our decision easier ... (and) the fact that the applicant pays for the report and we commission it, means the public would have more faith in its outcomes, rather than one commissioned by the applicant which might contain bias.”

– **High Leigh Parish Council, Cheshire**

“We are a small village. Tesco is trying to build at a local market town about 10 miles away and this would/could aid the case for or against in that area.”  
– **Bayton Parish Council, Worcestershire + similar words from nearby Eastham Parish Council**

“This proposal would help to get a more balanced view incorporated into the planning process.”  
– **Durnford Parish Council, Wiltshire**

### The odds are stacked against us

“Enormous sympathy with Leiston Town Council and all other town and parish councils which have to deal with major developments ... The odds are stacked against local councillors ... and it would have been helpful to have had access to expert advice in challenging the application.”  
– **Southwold Town Council, Suffolk**

“Councillors felt that local objectors to large corporation developments are currently severely disadvantaged due to the high cost of pursuing objections and fully support this proposal.”  
– **Bozeat Parish Council, Northamptonshire**

“those who wish to carry out major developments that are likely to have a permanent, lasting effect on the community, usually have a great deal more funds available to them ... We had very little real opportunity to ‘have our say’ on two major applications recently.”  
– **King’s Stanley Parish Council, Gloucestershire**

### We would go further

“We support this however we would wish to include that in addition to the applicant being requested to attend a Town meeting, a planning officer of appropriate seniority from the relevant planning authority should also be required to attend.”  
– **Seaham Town Council, County Durham**

## Supported by the National Federation of Women’s Institute and the National Trust

“WI members believe that local people should be given the right resources to assess major planning applications that would significantly affect their communities. That’s why the NFWI is supporting this proposal to give local councils the tools to help them carry out their planning duties and ensure that major planning applications are in the interests of the local communities in which they are located.”  
– **Ruth Bond, Chair of the National Federation of Women’s Institute**

“Parish and Town Councils are statutory consultees on planning applications that will have a major impact on their communities. However this is often meaningless due to the huge amounts of documentation they are expected to assess. We support this modest and reasonable proposal that would help empower them to better make that assessment, and thus help the communities they serve.”  
– **Dame Fiona Reynolds Director General, National Trust**