



PRIME MINISTER

SUPERSTORES AND PLANNING

At Glap PG1.

In my minute of 15 February I explained my intention to make a statement, by way of written PQ, about superstores and planning. At that time it was decided that it would be preferable to defer this until after the discussions with the Sainsbury Group had been concluded. It is now proposed that the policy circular on planning which was produced in consultation with the Group should be published concurrently with the White Paper on deregulation which David Young is preparing and will be reproduced as an annex to the White Paper.

We have always seen it as important to separate the statement on superstores from the main policy circular, and it had been my intention to defer the superstores statement until 2-3 weeks after the White Paper. If, however, the White Paper issues in the third week of July (or possibly towards the end of the month), it will leave only a week or so before the recess and the superstores statement would have to follow on almost immediately after the White Paper.

I conclude that, if the statement on superstores is to be made before the recess, it would be best to make it before the White Paper and as much in advance of it as possible. It will then be possible to refer to it in the White Paper. There is much to be said for this since what it has to say about commercial competition not being a matter for planning control is relevant to the theme of deregulation; it would be better to be able to refer to this aspect in the White Paper than to deal with it separately shortly after the White Paper has been published.

/ I enclose a copy of a revised version of the statement on superstores. I believe that it will be generally welcomed by the major superstore developers and that what it says about the need to have regard to the effects on established town centres will also go some way to meet the concern of those of our supporters who have expressed their anxieties on this score. It will certainly be of assistance to my Inspectors who have to cope with public inquiries on major retail

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developments. There has been continued pressure over the past year or more for a government statement on this subject and I think that it is necessary to make one.

If you agree, and subject to David Young's views on the timing and the relationship to the White Paper (and the circular on planning policy), I would propose to make the PQ statement on superstores within the next week and not later than 5 July. If it is delayed later than this, we run into the timing problem that I have described.

I am copying this minute to George Younger and Nicholas Edwards, who also have to deal with planning appeals of this kind, and to Norman Tebbit, Michael Jopling, David Young and Sir Robert Armstrong.

AH Dani
for
P J

28 June 1985

Approved by the Secretary of
State and signed in his absence

DRAFT PQ: MAJOR RETAIL DEVELOPMENTS

Q. To ask the Secretary of State for the Environment, what is his present policy in relation to planning applications for large new retail developments; whether that policy has recently changed; and whether he will make a statement.

X
A. After considering the representations that I have received on this subject, I have concluded that it is not necessary to add more detailed advice to that given in Development Control Policy Note 13 ("Large New Stores") and in the Memorandum on Structure and Local Plans published last year. It is important, however, to stress the point made explicitly in the existing guidance that it is not the function of the planning system either to prevent or to stimulate competition among retailers or among methods of retailing, nor to preserve existing commercial interests as such; it must take into account the benefits to the public which flow from new developments in the distributive and retailing fields. The public needs a wide range of shopping facilities and ^{the} benefits from competition between them. Local planning authorities must take full account of these various needs, both in framing structure and local plans and in dealing with applications for new shopping developments of all types.

|| Since commercial competition as such is not a land-use planning consideration, the possible effects of proposed major retail developments on existing retailers is not in this sense a relevant factor in deciding planning applications and appeals. It will be necessary, however, to take account ^{in exceptional circumstances} of the cumulative effects of other recent and proposed large scale retail developments in the locality, and to consider whether they are on such a scale and of a kind that they could seriously affect the vitality and viability of a nearby town centre as a whole- for example, whether they seem likely to result in a significant increase in vacant properties, or a marked reduction in the range of services the town centre provides, such as could lead to its general physical deterioration and to the detriment of its future place in the ^{no} economic and social life of the community. Town centres need to

maintain their diversity and activity if they are to retain their vitality, but the range ^{of} ~~of~~ variety of shops and services will, change, as they have always done, in response to changing conditions.

I and my Inspectors will decide planning appeals in the light of these general principles and of the extent to which they are adequately dealt with in development plans, and in relation to the land-use planning and traffic consideration raised by individual cases.

As at 1 January 1985 there were 297 hypermarkets and superstores built and open compared with 125 in January 1979 and only 26 in 1973. Planning permission has been given for 68 more. These figures show that the planning system can facilitate the development of these new types of retailing, for which there is clear public demand.

Planning : Local Govt. PG-2



10 DOWNING STREET

4 July 1985

From the Private Secretary

Dear Sue

SUPERSTORES AND PLANNING

This is to confirm that the Prime Minister is content for your Secretary of State to make the statement on Superstores and Planning this week. She has, however, suggested one small amendment to the draft text, that 'in exceptional circumstances' should be inserted after 'to take account' in line five of paragraph three. You foresaw no difficulties with that.

I am copying this letter to the Private Secretaries to the Secretaries of State for Trade and Industry, Scotland, Wales, the Minister for Agriculture, Fisheries and Food, the Minister without Portfolio and Sir Robert Armstrong.

Z u

Mark Addison

(Mark Addison)

Miss Sue Vandervord,
Department of the Environment

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PRIME MINISTER

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SUPERSTORES AND PLANNING

with MEA

Patrick Jenkin's minute of 28 June proposes an announcement in the House about the Government's policy on major retail developments. I agree that a statement along the lines which he proposes would be useful - although I have no strong views about its timing - and that it matches the approach to these questions which I am continuing to take in Wales.

/ I am copying this minute to Patrick Jenkin, George Younger, Norman Tebbit, Michael Jopling, David Young and Sir Robert Armstrong.

4 July 1985

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LOCAL GOVT : Planning : Pt 2 .



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JU801

Secretary of State for Trade and Industry

4 July 1985

The Rt Hon Patrick Jenkin MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
London SW1P 3EB

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transfer*

N BPM

D Patrick,

SUPERSTORES AND PLANNING

Thank you for copying to me your letter of 28 June to the Prime Minister with your revised version of the statement on super stores, with which I am generally content.

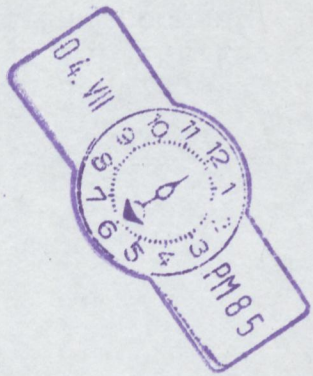
www HGA ?

You will, however, recall from my letter of 8 March that I shared David Young's concern at the rather disparaging reference to the stimulation of competition, as if this was something to which the Government were indifferent. I accept, as you said in your reply of 19 March, that we need to tread carefully and to ensure that any reference to competition is correct in the legal sense; but it is not immediately apparent that David's formulation, "it should not be the function of the planning system to inhibit competition", should be beyond the pale. It is certainly much preferable in all other respects. I therefore hope that you will reconsider urgently, with your legal advisers, whether it might not be permissible, with a view if possible to its inclusion in the answer you propose to make.

I also notice that the figures you quote in your final paragraph differ markedly from those in your earlier version of 15 February. The latest figures are presumably the correct ones?

I am copying this letter to the Prime Minister, George Younger, Nicholas Edwards, Michael Jopling, David Young and Sir Robert Armstrong.

Norman
NORMAN TEBBIT



Bemart

PRIME MINISTER

SUPERSTORES AND PLANNING

You will remember that Mr. Jenkin deferred his statement on superstores until discussions with the Sainsbury Group had got somewhere. He now proposes that the statement should be issued as soon as possible, to ensure that it remains separate from the policy circular on planning which will form part of the Deregulation White Paper scheduled to go out in the third week in July. The draft statement is at Flag A, Mr. Jenkin's covering minute at Flag B.

Discussions with the Sainsbury Group have made some progress and you will recall meeting the Group on 29 April. It does seem sensible to put out the statement on superstores this week, leaving a respectable gap between it and the Deregulation White Paper. Lord Young agrees this course (Flag C).

Lord Young is also content with the wording of the statement. Hartley Booth has, however, suggested that the statement should make clearer the distinction between competition among traders, which is not a planning consideration, and the sort of massive development which could cause dereliction in an existing town centre. He has agreed with the DOE an amendment, which I have marked on the statement (in manuscript).

Content that the statement should be made this week; in the terms drafted, subject to Hartley's amendment?

Mark Addison

Yes - mt

MARK ADDISON

3 July 1985

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PRIME MINISTER

SUPERSTORES AND PLANNING

with MEA?

In his minute of 28th June, Patrick Jenkin sought my views on the timing of his written PQ about superstores and planning and its relationship to the Deregulation White Paper which we discussed last Monday.

I agree with Patrick that the suggested draft PQ is not something which needs to be linked with the White Paper and the associated circular on 'Planning and Enterprise' (which will be an Annex to the White Paper as well as a conventional DoE and Welsh Office circular). The relationship between the two issues is somewhat tenuous and, like Patrick, I see considerable advantage in separating the statement on Superstores from the main policy circular.

Given that the White Paper is scheduled to come out in the third week in July, I also agree that the PQ should go out as soon as possible this week. Otherwise, we could run into a timing problem.

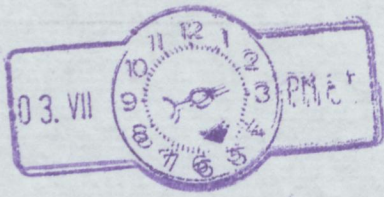
I am copying this minute to George Younger, Nicholas Edwards, Norman Tebbit, Michael Jopling, Patrick Jenkin and Sir Robert Armstrong.

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3rd July, 1985

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PRIME MINISTER

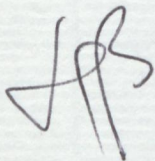
3 July 1985

SUPERSTORES

The much delayed policy statement on Superstores hinges around the sensible proposition that it is not the function of land-use planning to interfering in competition in the market place. Yet the proposed announcement by Parliamentary Question states that planners should be to check the "viability" or "vitality" of local town trade to compete with proposed development.

DoE officials wish to make a distinction between competition between traders, which is not a planning consideration, and the sort of massive development which might cause dereliction in an existing town centre. They concede that the second is an exceptional circumstance. I have suggested DoE redraft to make this point.

On this basis, we recommend you take no action.



HARTLEY BOOTH



Department of the Environment
2 Marsham Street London SW1P 3EB

01-212 4051

John Delafons CB

Deputy Secretary

CONFIDENTIAL

PW

Hartley Booth Esq
Policy Unit
10 Downing Street
London

27 June 1985

Dear Hartley,

1. I imagine that you are fully au fait with what is afoot on the Deregulation White Paper and the "one page" circular, but in accordance with my promise to try to keep you in the picture I enclose copies of

- (a) Our contribution to the White Paper. ✓
- (b) Latest draft of the one page circular (now two pages I fear!) which is also to be annexed to the White Paper. ✓

(c) The latest version of the PQ statement on superstores with my covering minute (I am not sure if the Secretary of State will adopt my suggestion on timing - and I now hear that the White Paper may issue in the second week of July rather than the third; but I still see merit in making the superstores statement as soon as possible and then refer to that in the White Paper: it is certainly essential to deal with this special interest separately from the main circular). ✓

2. We are also hoping to put a paper to H Committee very shortly on public inquiries but our Ministers have not yet cleared it. The proposed changes to the Inquiry Rules and the new guidance on disruption are useful but the case for taking new legislative powers to define (ie restrict) the scope of a particular inquiry is far more contentious and there must be doubts as to whether it is worth doing for the sake of the very few inquiries that last for more than a month (the vast majority are over in a day or two). It can be argued that, had it not been for the very full Stansted/T5 inquiry and Graham Eyre's excellent report, it would have been far more difficult to bring that saga to a successful conclusion (I trust that is not tempting fate: we are still in the 6 weeks period for High Court challenge).

Kevin Pope Gay

Read
etc.
H.S.

3. We have a mountain of other work on hand but we have put most of our goods in the White Paper shop window and our draft chapter says much of what needs to be said on the subject. I hope that these products of my flagging literary skills will not be botched up by those who think they know better than me what is needed (among whom I do not, of course, include yourself - and I much appreciate your help in moving things forward without loss of equilibrium).

John Delafons

John

JOHN DELAFONS

REVISE 26 JUNE

DRAFT PQ: MAJOR RETAIL DEVELOPMENTS

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