

PRIME MINISTER

9 December 1985

MEETING ON 10 DECEMBER WITH SIR JOHN SAINSBURY'S GROUP

Further to your meeting of 29 April with Sir John Sainsbury's Group, the Committee and DoE now report back to you on its proposals to simplify, clarify and expedite town and country planning control. Attending your meeting at 10.15 am will be:

Sir John Sainsbury, Chairman and Chief Executive of J Sainsbury plc

Mr Clifford Chetwood, Chairman and Chief Executive of George Wimpey plc

Mr Christopher Benson, Vice Chairman and Managing Director of MEPC plc, and Chairman of London Docklands

Mr Nigel Mobbs, Chairman and Chief Executive of Slough Estates plc, and Chairman of PSA Advisory Board

Mr Idris Pearce, Managing Partner of Richard Ellis Surveyors

How much land round the M25

Mr Roger Studdards, Senior Partner of Last Studdards Solicitors, currently also Chairman of the Trustees of the Bradford Disaster Appeal

Mr John Taylor, Partner of Chapman, Taylor & Co.

Kenneth Baker, Lord Young, Mr Trippier and Mr Michael Howard will also be attending.

1. Progress

Following your meeting with the Group on 10 December 1984 and your meeting in April this year, the White Paper "Lifting the Burden" was published on 16 July, which has been well received (copy of the Paper is attached at Flag 1). This included the presumption of planning permission and Kenneth Baker's note states that the proportion of appeals allowed has risen by 10% directly as a result. DoE's note setting out progress is at Flag 2 together with their report ^{copied} to me in September. ^(Flag 5) Much has been done.

2. Work still to do

The circular of July is only a start. The swing towards greenery and against development will mean that any further deregulation will be hard fought. The performance of the system of planning appeals is far from perfect and the claim by DoE to have reduced the average time for appeals from 23 weeks to 19 weeks during the last year is not nearly enough. DoE admit they could do more about speeding up the time between the end of the Hearing and the decision letter being issued. At the moment, the decision letter, which is on average about 2 pages long, takes 4-6 weeks to be issued. This compares badly when set against time taken by the House of Lords Appellate Committee to issue their 50-100 page judgements at

the end of a Hearing. Time taken for appeal should be reduced to, at the most, 14 days.

Unused publicly-owned land is now on the agenda for the Group at the request of Kenneth Baker. We welcome this, especially in view of the lamentable state of affairs in the part of DoE that deals with this crucial area of policy. You may recall our minute of 8 November (Flag 3) in which we concluded that, at the rate of progress being achieved in the Department, the sale of the backlog of unused public land would take approximately 200 years!

The Use Classes Order is being considered at the moment. We have the interim report of the Property Advisory Group of DoE. There are at present 18 Use Class Orders and they add greatly to the complexity and restrictiveness of planning control. Kenneth Baker's minute implies that all this area of vital simplification is in no need of further work. We believe that these categories of permitted use can be pruned much more drastically than is proposed by the DoE Committee, possibly down to 3 or 4 different categories of use. Can Sainsbury help?

Structure Plans have been downgraded in the 16 July circular. We doubt if this is enough nor has it got through to the public. What do the Sainsbury Group feel? Some movement would help but this is a very politically sensitive area.

3. The future of the Group

You may be under some pressure by Kenneth Baker to allow the Sainsbury Group to retire gracefully, now that he argues that something has been achieved. Lord Young disagrees (Flag 4). On the contrary, we believe on the three points above: a) a simplification system; b) sale of unused land; and c) use class order; there is much the Group could do if they are prepared to continue. Officials at DoE have certainly moved under the pressure from the Sainsbury Group. Now is not the time for the pressure to be withdrawn. It will be said that the Group represents developers and that our green image may be tarnished by them. On the contrary, if the developers help improve Inner City dereliction, they may assist any green image we might wish to have.

4. Handling

In the pre-Meeting of Ministers between 9.45 and 10.15 am, a line can be agreed with Kenneth Baker as to the future of the Group. Lord Young is likely to want the Group to continue.

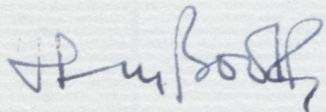
For the meeting with the Sainsbury Group, you may like to ask Kenneth Baker to report on the discussions and for Sir John Sainsbury to comment. The meeting should then focus on what the Group feel is wrong with our planning system at the moment, now that some changes have begun, and the way ahead.

5. Conclusion

We recommend you encourage the Sainsbury Group to continue their good work. Still needing attention are:

- a. much more efficiency in the disposing of planning appeals;
- b. radically reducing the use classes of the Use Classes Order;
- c. further reducing the status of structure plans with safeguards for Green Belt, parks and tourist amenity;
- d. a big drive to dispose of unused public land.

An analysis of the Sainsbury proposals to date is attached (Flag 5).



HARTLEY BOOTH

PROPOSALS FROM SAINSBURY

Sainsbury Proposal	Topic	Action
a	Presumption in favour of development	Proposal Accepted DoE circular July 1985
b	Circular stating ditto	" " "
c	Reasons to be given for refusal	" " "
d	LA Reports to be released	Squires' ^{Act} Bill thought to cover
e	Quick form approval	Some action in forthcoming legislation (see paras 12-14 of attached Report)
f	LA speed or return	Proposal withdrawn by the group
g	More delegated powers	Accepted. It is encouraged in DoE's circular 22/80

h	Inspector to award costs against parties causing undue delay	Proposal accepted. Forthcoming planning legislation will include powers (para 19 of attached Report)
i	Higher echelon of Inspectors	Partly accepted (para 27 of Report)
j	Inspectors controlled by LC's Department	Withdrawn
k	Local Planning Appeals Tribunals	DoE rejects
l	Greater use of ad hoc Inspectors	Accepted (para 28 of Report)
m	Competent Appeals Tribunal	Rejected by DoE
n	Parties to appeal to see draft Inspector's Report	Withdrawn by the Group
o	Mandatory time limit on written submissions	Accepted. Forthcoming Bill will include powers (para 38 of Report)

p	Secretary of State to have power to order a Section 52 Agreement (a type of conditional agreement)	Accepted in rare cases (para 39 of Report.
No Number	Structure plans should be downgraded	Accepted (para 40 of Report put into July's White Paper)
No Number	Sale of unused public land	To be considered by the Group?
No Number	Review of Use Classes Order	To be considered by the Group?