nbpm CCBG

PRIVY COUNCIL OFFICE
WHITEHALL. LONDON SW1A 2AT

8 September 1986

Dear Nicholas

THE FUTURE OF DEVELOPMENT PLANS

FILE WITH AB

You wrote to me on 18 August seeking H Committee's agreement to your proposals for streamlining the development plan system and to the issue of a consultation document on 16 September.

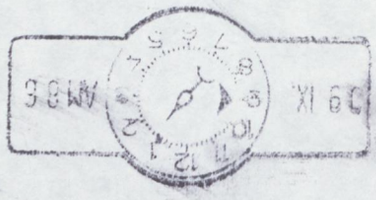
I note that you do not propose to bring legislation forward in this Parliament and I understand that the Prime Minister is content with the proposals and the handling arrangements. You will have seen letters from Paul Channon, Michael Jopling and Malcolm Caithness endorsing your proposals, and I trust you will see no difficulties in accommodating the general points they make and the drafting amendments they have suggested. You will also have seen letters from Peter Brooke, Tom King, Nicholas Edwards and Kenneth Clarke which raise no objections. I note that the consultation exercise in Wales will be carried out by the Welsh Office. No other members of the Committee have commented and you may take it that you have H Committee's agreement to proceed.

I am sending a copy of this letter to the Prime Minister, the members of H Committee and Sir Robert Armstrong.

Yours

The Rt Hon Nicholas Ridley MP

LOCAL GOVT
PLANNING
PT 3



CONFIDENTIAL

CJ86

SECRETARY OF STATE FOR THE ENVIRONMENT

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

The Rt Hon The Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
Whitehall
LONDON SW1

18 August 1986

NOM

Dear Lord President,

In your letter of 4 August you agreed to the suggestions in my letter of 23 July for handling the proposals for simplifying and improving the development plan system.

I now enclose a copy of the draft consultation paper; chapter 4 contains a summary of the proposals.

The Proposals

The main proposal is to do away with the present two-tier system of structure and local plans and to move to a single-tier system of development plans in all parts of England and Wales, as we are already doing in the metropolitan areas, following the Local Government Act 1985. This will mean that plan preparation is the sole responsibility of district councils, who are best placed to deal with most planning issues and who also deal with all planning applications except those relating to minerals and waste disposal. Having one tier of development plans instead of two will considerably reduce the time needed to prepare plans and keep them up to date. Unlike structure plans, the District Development Plans will not require Ministerial approval although there would be reserve powers of intervention.

The proposals are likely to be welcomed by the development industry and by the district councils. However, the county councils may well oppose the proposals - at least initially - since their first reaction may be that abolishing structure plans will remove their main planning function. But the proposals retain a strong role for the County, in helping to formulate regional planning guidance and in deciding policies on those matters that cannot be satisfactorily dealt with at the local level, such as Green Belts, land for housing, major industrial and retail development, and minerals and waste disposal. They would also have a new power to designate rural conservation areas.

These changes would apply in England and Wales. I have consulted Nicholas Edwards about them and he is broadly content. The circumstances in Scotland are somewhat different and have not given rise to such severe problems. Malcolm Rifkind proposes to make only limited changes in Scotland as described in Annex F to the paper.

Legislation

The main proposals would require primary legislation but I would not expect to bring that forward during this Parliament. That would be made clear when the consultation paper is published.

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LOCAL GOVT
PLANNING PT3

Resource and Manpower Implications

There will be savings in the costs borne by Central Government since the work involved in approving structure plans will no longer be needed. This will be offset to some extent by the preparation of regional guidance. There will be a direct vote saving of between £100,000-£200,000 a year on the costs of arranging Examinations in Public into structure plans.

The proposals would reduce costs in the private sector, since those who need to consult development plans will have only one type of plan to consider rather than two. The abolition of structure plans will reduce the planning work of both counties and districts, and the preparation of district development plans will supersede the work on local plans. This is discussed in more details in paras 102-104 of the draft.

Performance Measures

When the proposals are implemented I will ensure that the preparation of plans under the new arrangements is monitored to assess the improvement in the time taken to prepare and revise the plans.

International Implications

The proposals have no direct EC or other international implications.

Presentation

I intend to outline the proposals to the Town and Country Planning School which I am due to address on 15 September and to publish the consultation paper the following day. Until then it is important that the proposals be kept confidential to avoid any premature leak.

The Prime Minister has agreed the proposals as a basis for consultation and also the suggested arrangements for handling them. Subject to any comments which you and others may have, I shall proceed on this basis. Would you please let me have any comments no later than 29 August.

Copies of this go to the Prime Minister, H Committee colleagues, Michael Jopling, Paul Channon, John Moore and Robert Armstrong.

Yours sincerely,

Isobel R. Ogilvie (Private Secretary)

NICHOLAS RIDLEY

Approved by the Secretary of State and signed in his absence.

SK/B15

CONFIDENTIAL

nbpm CCBG

Department of Employment
Caxton House Tothill Street London SW1H 9NF
Telephone Direct Line 01-213 5949
Switchboard 01-213 3000

The Rt Hon Nicholas Ridley AMICE MP
Secretary of State for the Environment
2 Marsham Street
LONDON
SW1P 3EB

3 September 1986

Dear Nick.

THE FUTURE OF DEVELOPMENT PLANS

File with MEA/AB.

Thank you for sending me a copy of your letter of 18 August to Willie Whitelaw together with a draft consultation paper on the future of development plans.

I strongly support your proposals which certainly represent a significant deregulation initiative - although you have not presented them strongly as such. As you say the development industry should welcome the single tier approach in which plan-making is confined to the district level. In the absence of structure plans they and other employers may need to rely on the county statements and regional guidance for a wider view of economic and employment issues.

I am therefore content that the paper in its present form should be published as the basis for public consultation.

I am copying this letter to the Prime Minister, members of H Committee, Michael Jopling, Paul Channon, John Moore and Robert Armstrong.

Yours ever,

KENNETH CLARKE

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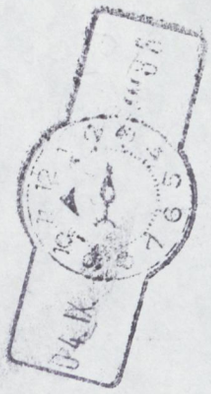
LOCAL GOVT: Planning: Pt 3.



Y SWYDDFA GYMREIG
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01-233 6106 (Llinell Union)
Oddi wrth Ysgrifennydd Gwladol Cymru

1. PMB
2 CF

nbpm

CCBG.

WELSH OFFICE
GWYDYR HOUSE
WHITEHALL LONDON SW1A 2ER
Tel. 01-233 3000 (Switchboard)
01-233 6106 (Direct Line)
From The Secretary of State for Wales

The Rt Hon Nicholas Edwards MP

CONFIDENTIAL

2 September 1986

Dear Secretary of State

THE FUTURE OF DEVELOPMENT PLANS

FILE WITH MEA

Thank you for the copy of your letter of 18 August to Willie Whitelaw, enclosing the draft consultation paper.

As I have been kept closely in touch with the preparation of the paper in which you have kindly incorporated some of our ideas, I am very happy for you to proceed to consultation as suggested in your letter.

We agreed earlier that the consultation exercise in Wales would be conducted by the Welsh Office.

I am copying this letter to the Prime Minister, the Lord President, H Committee colleagues, Michael Jopling, Paul Channon, John Moore and Robert Armstrong.

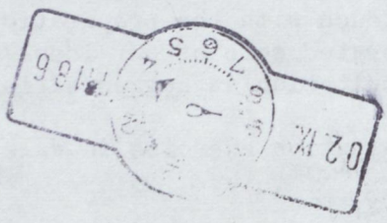
Yours sincerely

R. C. Williams

[approved by the Secretary of State and signed in his absence]

The Rt Hon Nicholas Ridley MP
Secretary of State for the Environment

LOCAL GOVT
PLANNING
PT 3



16pm - CCBS

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD
WHITEHALL PLACE, LONDON SW1A 2HH

From the Minister

The Rt Hon Nicholas Ridley MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
SW1P 3EB

1 September 1986

Dear Nicholas

FILE WITH MEET

Thank you for copying to me your letter of 18 August to Willie Whitelaw with your draft consultation paper on proposals for simplifying and improving the development plan system.

MAFF does, of course, have a considerable interest in these matters in that we are consulted by County and District planning authorities on the agricultural implications of structures and local plans. It is important that, in any revised procedures we continue to be able to ensure that the Government's policy for the protection of agricultural land is taken properly into account in the strategic planning process.

The proposals you put forward in your draft consultation paper lay great stress on the need for early, wide public consultation in the drawing up of the local plans, of the regional and sub-regional guidance you will be issuing and of the planning statements the Counties will be issuing. I am sure you would agree that it should be made clear that MAFF will continue to play a full role in these consultations. To this end, I would be grateful if agriculture could be specifically mentioned in paragraph 49 of the draft as one of the subjects which all counties would need to deal with.

Subject to this amendment, I am content that you should proceed as you propose. My officials will let yours have comments on the detailed proposals once the consultation paper issues. In particular they will consider carefully the implications of the proposals to introduce rural conservation areas.

I am copying this to the Prime Minister, Members of H Committee, Paul Channon, John Moore and Robert Armstrong.

Yours

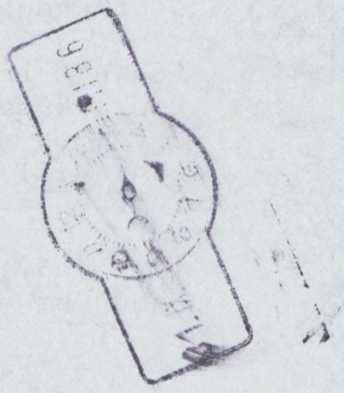
Michael

MICHAEL JOPLING

LOCKE GOLF

PLANNING

PT 3



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nbpm CC/86

NORTHERN IRELAND OFFICE
WHITEHALL
LONDON SW1A 2AZ

SECRETARY OF STATE
FOR
NORTHERN IRELAND

Rt Hon Nicholas Ridley MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON
SW1P 3EB

1st September 1986

Dear Secretary of State,

Thank you for sending me a copy of your letter of 18 August to the Lord President enclosing a copy of the draft consultation paper on the development plan system.

To the extent that your proposals relate to England, Scotland and Wales I have no comment so far as Northern Ireland is concerned.

We do of course always look to see whether there is any read-across into the Northern Ireland planning system. The development plan system in Northern Ireland is already single-tier and your proposals bear a marked similarity to the situation which already prevails here. We have a regional statement of development strategy while the Department of the Environment for Northern Ireland (which is the sole planning authority for the Province) prepares and adopts what are known as Area Plans, similar to your proposed District Development Plans. The proposed abolition of structure plans, therefore, has no relevance for us.

However, we are interested in your proposals for reducing the complexity and timescale of the procedures for adopting local plans and for the new concept of "rural conservation areas". My officials will keep in contact with your own on these matters so that we can effect any appropriate changes in Northern Ireland planning law.

I am content that your consultation paper should issue as drafted.

Copies of this letter go to the Prime Minister, H Committee colleagues, Michael Jopling, Paul Channon, John Moore and Sir Robert Armstrong.

Yours Sincerely
Neil Ward
(Private Secretary)
for TK
Approved by Mr King and signed in his absence in

CONFIDENTIAL

CONFIDENTIAL

Local Gov't: Corresp. From Sir John Sainsbury's. PTS.

CCBG

JU289
Secretary of State for Trade and Industry

DEPARTMENT OF TRADE AND INDUSTRY
1-19 VICTORIA STREET
LONDON SW1H 0ET
Telephone (Direct dialling) 01-215 5422
GTN 215) .....
(Switchboard) 01-215 7877

1st September 1986

NBPM

CONFIDENTIAL

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

Dear Secretary of State,

THE FUTURE OF DEVELOPMENT PLANS

ACENTHMEA

Thank you for copying to me your letter of 18 August to Willie Whitelaw on this subject.

In general I very much welcome your proposal for simplifying and improving the development plan system. The introduction of a single-tier system of development plans and the streamlining of the procedures whereby they are prepared should do much to ensure that plans take account more readily of changing local needs.

That said, it is not self-evident that even under the new system you propose district councils will always take sufficient account of legitimate demands for land for industrial development. For that reason, it is important that the Secretary of State's reserve powers to intervene in the process should be maintained, as you propose, and we should be ready to use them.

One area which does cause me some concern is the Counties' role in setting minerals policy. This is not an area where planning authorities are always as alive as they might be to the national and local case for development. It would therefore have been tempting to argue for the Secretary of State to maintain an express approval, as at present. However, I recognise that this might seem to detract from the general thrust of your proposals. I would therefore be content not to press it on the understanding that your Department will in fact keep a close eye on this aspect of development plans, in consultation with mine, and provide

informal guidance as necessary to the authority - and that you would not hesitate to use your reserve powers where necessary.

We may need to return to this point if consultation reveals it to be a serious worry. It would obviously be helpful if you could find a way of making it clear in the consultation document that your Department would be taking a close interest in the preparation of these plans.

It would also I think be helpful if rather more could be made in the consultation document of the importance of Government planning circulars; for example should not planning authorities be required, rather than merely "expected" (as in para 39 as drafted) to have regard to them in exercising their planning function? Similarly, I think it would be reasonable to require planning authorities to consult public and private sector bodies at an early stage in the preparation of draft statements and plans, rather than merely "encourage" them, as in para 74 as currently drafted.

I note that even under the new system you propose there would still be a considerable role for County planning authorities in a number of areas of interest to this Department - for example major retail and industrial development and mineral working. Industrial interests may well have comments to offer on the division of responsibility between county and district authorities in these areas and I would hope that due account could be taken of these and other responses to the consultation document before your proposals are finalised.

I have a number of other detailed amendments to suggest (list attached), which reflect in particular this Department's sponsorship of the minerals industry.

I am copying this to the Prime Minister, H Committee members, Michael Jopling, John Moore, Peter Walker (with your letter), and Sir Robert Armstrong.

Yours sincerely

Alma M. Davis

PP PAUL CHANNON

(approved by the Secretary of State and signed in his absence)

ANNEX A

289.1

DETAILED COMMENTS

Paragraph

5 7 The text should make clear how the planning activities of National Parks authorities would be subject to a higher level of control.

6 0 The text should make clear how it is proposed to prevent district development plans from containing irrelevant policies or becoming overburdened with detail - in the absence of a specific requirement for the Secretary of State's approval.

6 1 As worded implies that district councils which refused to agree on the need for a minerals plan could frustrate itrs preparation. The text should be amended to indicate that minerals plans could be prepared where the counties, districts or the Secretary of State so wished.

79-98 The changes proposed are complex: it would be helpful to have an earlier reference to the summary of Annex E (which would have greater effect in presentational terms if the procedures 'before' and 'after' adoption of the reforms proposed were shown on the same page).

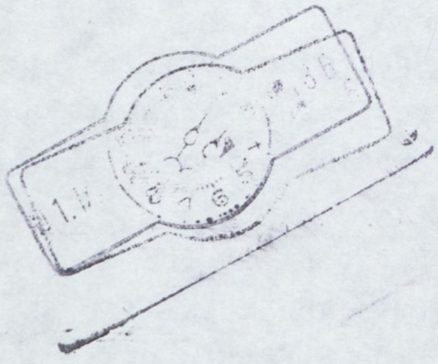
Annex C, para C7 - should read 'a high level of mineral activity and potential'.

Annex D, para D4 Guidance should be issued not only on criteria but also on mineral policies for rural conservation areas. Detailed boundaries should be settled not by

District planning authorities but by Councils (who should be required to consult the British Geological Survey, as should National Parks authorities).

Annex F, para F4 Would benefit from further clarification and emphasis, given the metalliferous potential of parts of Scotland. Line 8 should read 'many (but not all) types'.

LOCAL GOVT
PLANNING
PT 3



nbpm CC/86

MINISTER FOR SHIPPING

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

29 August 1986

Rt Hon Nicholas Ridley AMICE MP
Secretary of State for the Environment
2 Marsham Street
LONDON
SW1P 3EB

Dear Nick.

THE FUTURE OF DEVELOPMENT PLANS

Re with MEA.

You sent John Moore a copy of your letter of 18 August to Willie Whitelaw enclosing a draft consultation paper and asked for comments by 29 August.

I am happy with the general thrust of what you propose and agree that the suggested changes should enable local authorities to make a most welcome improvement in the speed and efficiency with which they produce and update plans.

I shall be submitting some detailed comments to you during the formal consultation period, but I would wish a few points to be taken on board before the paper is published for comment.

The paper, and Annex C do not explain how trunk road improvement schemes will figure in the new procedure. At present they are embodied in the structure plan and taken as given. There is a well established convention that they are not debated at EIP of the structure plan.

We would like to preserve that convention in the new system. Perhaps that is best done by identifying them as an example of the "national policies", and it might be well to make that explicit either in the main text, or in Annex C.

Secondly, the reference to SACTRA's recent report (paragraph C.5) seems to me out of place. It is concerned primarily with urban trunk roads, which in the main are found within the areas of the former metropolitan counties, and therefore outside the scope of this consultation paper. It is true that SACTRA argue that some of their advice could apply to local authority roads and to non-urban trunk roads, but we should not appear to prejudge that. So I would prefer to see para C.5 deleted. It might be useful to insert some reference to county policy statements taking account of national policy proposals for trunk roads, if you intend that they should.

I also have some reservations about the proposal to publish Inspectors' reports at the same time as they are made available to the "promoters" as it could lead to pressure to do the same with reports on highway inquiries. That could create quite severe difficulties for our schemes - particularly in London: but we shall address this question in our subsequent detailed comments.

Copies of this letter go to the Prime Minister, H Committee Colleagues, Michael Jopling, Paul Channon, and to Sir Robert Armstrong.

Yours

Malcolm

THE EARL OF CAITHNESS

Local Govt. Corresp. From Sir J. Sainsbury PT3

CONFIDENTIAL

ccBG

MINISTER OF STATE TREASURY

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Nicholas Ridley MP
Secretary of State
Department of the Environment
2 Marsham Street
LONDON SW1P 3EB

1. PAB -
2. CF.

29 August 1986

Dear Secretary of State,

DEVELOPMENT PLAN SYSTEM

FILE WITH MEA

In John MacGregor's absence on leave, I have seen a copy of your letter of 18 August to Willie Whitelaw.

I welcome your proposals as a useful means of reducing burdens for both public and private sector.

When you have considered the responses to the consultation paper it would be helpful to have your assessment of the resource savings you think will flow to your Department and to the local authorities.

I am copying this letter to recipients of yours.

Yours sincerely,

Mr Margrave (Private Secretary)

for **PETER BROOKE**

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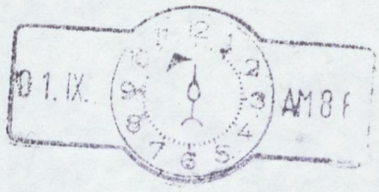
LOCAL GOVT

PLANNING

PT 3



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SECRETARY OF STATE FOR THE ENVIRONMENT

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

My ref:

Your ref:

The Rt Hon The Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
Whitehall
LONDON
SW1

9 September 1986

Dear Willie

THE FUTURE OF DEVELOPMENT PLANS

My letter of 18 August explained how I proposed to proceed with the publication of the consultation paper on the future of development plans. You have since seen comments by Peter Brooke, Nicholas Edwards, Tom King, Michael Jopling, Malcolm Caithness, Paul Channon and Kenneth Clarke.

I now attach copies of my replies in those cases where some changes in the draft consultation paper are needed.

I am grateful to you and colleagues for the quick and helpful way in which this matter has been dealt with. I shall announce the proposals at the Town and Country Planning Summer School on 15 September and copies of the consultation paper will be released to the press on the same day.

Copies of this letter go to the Prime Minister, H Committee colleagues, Peter Walker, Michael Jopling, Paul Channon, John Moore and Robert Armstrong.

Yours ever

Nicholas

NICHOLAS RIDLEY

Local Gov't Planning PT 3