



nbpm ceBG

2 MARSHAM STREET
LONDON SW1P 3EB
01-212 3434

The Rt Hon Paul Channon MP
Department of Trade and Industry
Victoria Street
LONDON
SW1

My ref:

Your ref:

9 September 1986

San Paul

THE FUTURE OF DEVELOPMENT PLANS

Thank you for your letter of 1 September commenting on my proposals for the future of development plans.

I understand your concern that under the new system it will be particularly important to ensure that planning authorities make proper provision for the needs of industry, including particularly the minerals industry. We shall make this clear in the detailed guidance which we shall issue to authorities and this will be backed up by the reserve powers for the Secretary of State to intervene by directing that particular policies be modified or, in more extreme cases, to call-in the proposals for his own decision. These powers apply to statements of county policies and district development plans as well as to minerals plans and plans in National Parks. The consultation paper will make it clear that copies of draft statements and powers will be sent to my Department. I confirm that I will be prepared to use the reserve powers where necessary.

Copies of all proposed statements of county policies and of district development plans will be submitted to my Department so we shall be able to decide, in consultation with your Department if necessary, whether any intervention is needed. I would prefer not to put any more emphasis in the consultation paper on the potential use of the reserve powers to avoid the impression that we do not really intend to disengage from detailed planning. But I think the text can usefully be strengthened to emphasise the need to consult Government departments where they have particular interests.

I am happy to look again at these points after the consultation period if necessary.

You suggest that the paper should give more weight to the importance of Government circular. The reference to this in para 39 refers to the present position and reflects well established practice. But I take the underlying point that the position could be strengthened under the new system. There is a pointer to this in the last sentence of para 47. I agree that para 74 on consultation could usefully be strengthened.

nbpm

I have asked my officials to agree with yours suitable changes to reflect these points and to deal with the detailed comments in Annex A to your letter, most of which I am happy to take on board.

I am copying this letter to the recipients of yours.

Nicholas Ridley

NICHOLAS RIDLEY

Local Gov't Planning PT 3.



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

CONFIDENTIAL

NBSM

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

FILE WITH MEA

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

1786
1986
BOARD OF TRADE



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

Paul H. Dairs

PP

PAUL CHANNON

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



289.1

DETAILED COMMENTS

Paragraph

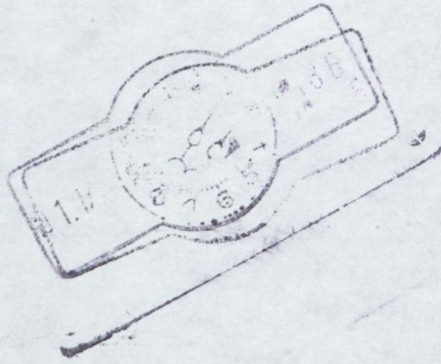
- 5 7 The text should make clear how the planning activities of National Parks authorities would be subject to a higher level of control.
- 6 0 The text should make clear how it is proposed to prevent district development plans from containing irrelevant policies or becoming overburdened with detail - 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 its 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. CCBG.



SECRETARY OF STATE FOR ENERGY
THAMES HOUSE SOUTH
MILLBANK LONDON SW1P 4QJ

01 211 6402

The Rt Hon Nicholas Ridley MP
Secretary of State for the
Environment
2 Marsham Street
LONDON
SW1

17 September 1986

THE FUTURE OF DEVELOPMENT PLANS

at Nap

I have seen with interest Paul Channon's letter of 1 September and your reply of 9 September.

Although I was not previously aware of the proposals to simplify and improve the development plan system, I do welcome them. Their introduction should help streamline the structure plan system and make it more flexible in meeting local needs.

However, I share Paul Channon's concern to ensure that an over-ride provision in the form of reserve powers exists as an insurance against district or county authorities failing to pay adequate attention to regional or national needs in respect of major industrial developments or minerals exploitation. I am therefore pleased to see that you have accepted Paul's points and are amending your consultation document accordingly. I, too, would wish my officials to be consulted in respect of mineral aspects of development plans.

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

PETER WALKER

LOCAL GOVT. Planning PT3



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

12 September 1986

The Rt Hon Nicholas Ridley MP
Secretary of State for the Environment
Department of the Environment
2 Marsham Street
LONDON
SW1

Dear Nick,

Thank you for your letter of 9 September, in reply to mine of 1 September. I have also seen, among others, Michael Jopling's letter of 1 September and your reply to him of 9 September.

I am grateful to you for your reassurances about the use of your reserve powers where local planning policies do not take adequate account of the need of industry; I understand that our officials have agreed the handling of the other points raised in my letter.

There is one point in your correspondence with Michael Jopling which caused us some concern. I understand that in response to Michael Jopling's letter your Departments have included in the consultation document a reference to policy "for the protection of high quality agricultural land", as one of those of which Counties would have to take account. This policy is of course currently under review in the context of the interdepartmental exercise on the alternative use of agricultural land, on which I understand Michael Jopling will shortly be making proposals to colleagues. Since the options we shall be considering include substantial changes to existing policy, it is important that these words should not be regarded as prejudging the possibility of such change. On that understanding, I do not object to them.

I am copying this letter to the Prime Minister, Willie Whitelaw, Peter Walker, Michael Jopling, John Moore, other H Committee members and Sir Robert Armstrong.

Paul

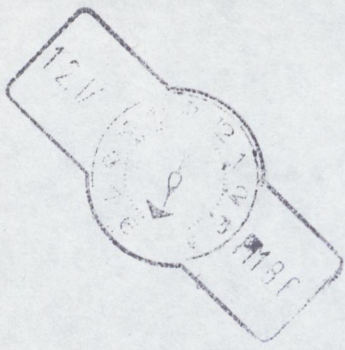
PAUL CHANNON

DW3AXZ

17
19

86

BOARD OF TRADE
BICENTENARY



LOCAL GOVT
PLANNING
PT 3

