



SUBJECT CC MASTER

10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary

28 October 1986

Dear Sir

PLANNING: THE SAINSBURY GROUP

The Prime Minister chaired a meeting yesterday to consider the progress made since she last met the Group in April.

Sir John Sainsbury was accompanied by:
Clifford Chetwood, Chairman and Chief Executive of George Wimpey plc
Mr. Christopher Benson, Vice Chairman and Managing Director of MEPC plc, Chairman, London Docklands
Mr. Nigel Mobbs, Chairman and Chief Executive of Slough Estates plc, Chairman of the PSA Advisory Board
Mr. Idris Pearce, Managing Partner of Richard Ellis, Surveyors
Mr. Roger Studdards, Senior Partner of Last Studdards, Solicitors
Sir John Taylor, Partner of Chapman, Taylor & Co.

Ministers present, in addition to your Secretary of State, were the Secretary of State for Employment, William Waldegrave and Michael Howard. Hartley Booth was also present.

The Prime Minister welcomed Sir John Sainsbury and his colleagues to the meeting and allowed him to open the discussion. The main areas covered were as follows:

Handling of appeals

Sir John Sainsbury acknowledged that for the first time the figures were showing an improvement in that the average length of time taken to deal with cases was decreasing. But he was concerned that this concealed a problem with "difficult cases" where the delay could be well over a year: he mentioned two cases that had been outstanding for 67 and 80 weeks respectively and said that he had just received a decision on a case which had been outstanding for four years. Three points arose out of this. Firstly the Group welcomed

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your Secretary of State's recent agreement to establish a mini-inquiry by neutral observers to establish why there had been such long delays in various specific cases. Secondly it was agreed that there was a need for a "progress chaser" within DOE to improve what was essentially a production point. It was proposed that this could be a one-off job, probably lasting no more than a year or so, and should be undertaken by one or more management consultants who would have direct access to the Secretary of State. The intention was that they would leave behind a system which would alert Ministers if any particular case was being delayed. Thirdly specific action was requested by the Prime Minister and the Group on cases which had been outstanding for a particularly long time. One suggestion was that there should be financial penalties for very slow performance. Another suggestion was that the appeals should go automatically before a Minister after six months. These were described as possible "sleeping policemen" in the system.

A number of other points were made about the length of time it took to get dates for hearings as a result of lack of availability of town halls. Hopefully any management consultant might have a view on these points, though it was accepted that much of the problem could be laid at the door of local authorities and developers who insisted on waiting for particular barristers. One point on which there could be action was that there was scope in a pre-hearing review for more agreed issues before appeals were heard.

Consultations on Planning Applications

The Group seemed satisfied with progress on this but suggested that more publicity should be given to the detailed arrangements. The Prime Minister suggested that instead of some consultations it might be possible to advertise officially.

Structure Plans

The Group were very happy with progress on this, provided of course that it was not delayed unduly in Parliament.

Section 52 Agreements/De minima Conditions

These were discussed as one. A number of examples of the problem were discussed ranging from major restrictions by local authorities to an objection by an Inspector to the smell of baking bread. Some of those Section 52 restrictions were said by Mr. Howard to be illegal if they were unreasonable. Everyone agreed that the situation was appalling and that radical reform was needed. One possible solution was to put proposed conditions to a lands tribunal for decision. It was, however, agreed that this was a difficult technical area, and the final position was that it should be considered further by a Joint Working Group.

External Appearance

There was general agreement that the right course of action was to deem planning consent for external appearance, except in conservation areas.

UDCs

The only point the Group made here was that the UDCs should be allowed to keep the profits from the sale of land to allow for asset recycling.

Follow-up Action

It was agreed that the Group should meet again, probably in early February. This date was chosen because the results of the mini inquiry should be available by then, and will probably form the basis of the meeting. The Prime Minister was very concerned that the papers for this meeting did not include any figures on the number of appeals which had been outstanding for a long time - defined as over 6 months. I am most grateful to you for providing some figures at very short notice. Could you please let me have by 16 November a table showing how many appeals had been outstanding for over 6, 9 and 12 months respectively at 1 January and 1 June for the last 3 years.

The next meeting will also want to consider progress on the following points:

- (i) Appointment of progress-chaser
- (ii) Publicity on consultations
- (iii) Joint Working Group on Section 52 agreement/De minima conditions
- (iv) Planning consent for external appearances, other than in conservation areas
- (v) Profit recycling for UDCs

Could I please have a note on all these by the end of the year, so that we can consider well in advance how to structure the next meeting.

I am copying this letter to John Turner (Department of Employment), Helen Ghosh (Department of the Environment), David Roe (Department of Trade and Industry), and to Trevor Woolley (Cabinet Office).

Tom
Andy

P. A. BEARPARK

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Department of the Environment