

Planning and Localism

**Presentation to Shifnal &
Sheriffhales LJC**

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What is Localism?

NOT IN MY BACKYARD!



Or this?



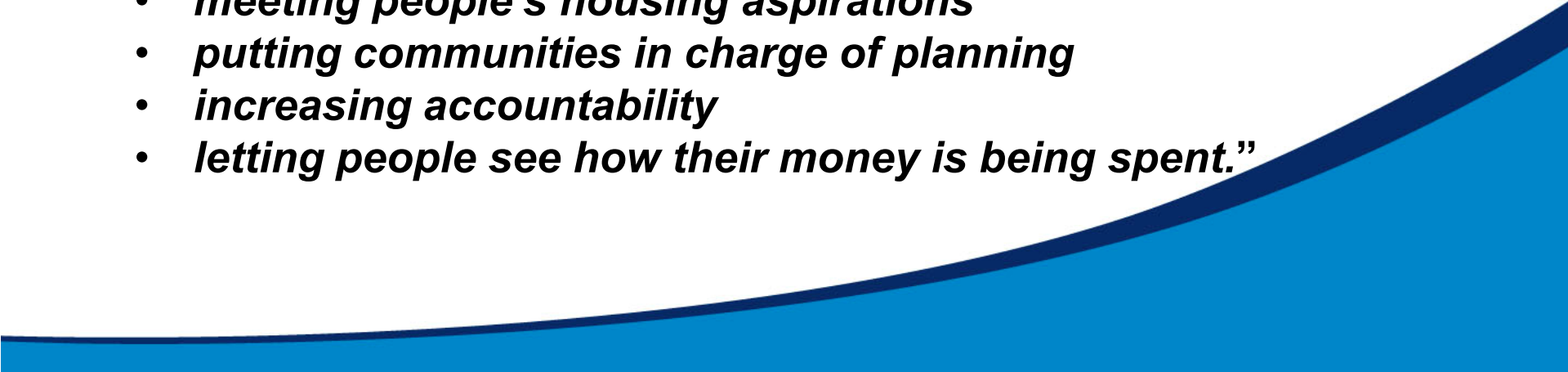
The Localism Act

- The Localism Act received Royal Assent and became law on 15 November 2011.
- The act takes power from central government and hands it back to communities and local councils giving them the freedom and flexibility to achieve their own ambitions.
- The provisions of the Act will be implemented in phases.

A Bit More Detail

“The Government is overseeing a fundamental shift of power away from Westminster to councils, communities and homes across the nation. A radical localist vision is turning Whitehall on its head by decentralising central government and giving power to the people.

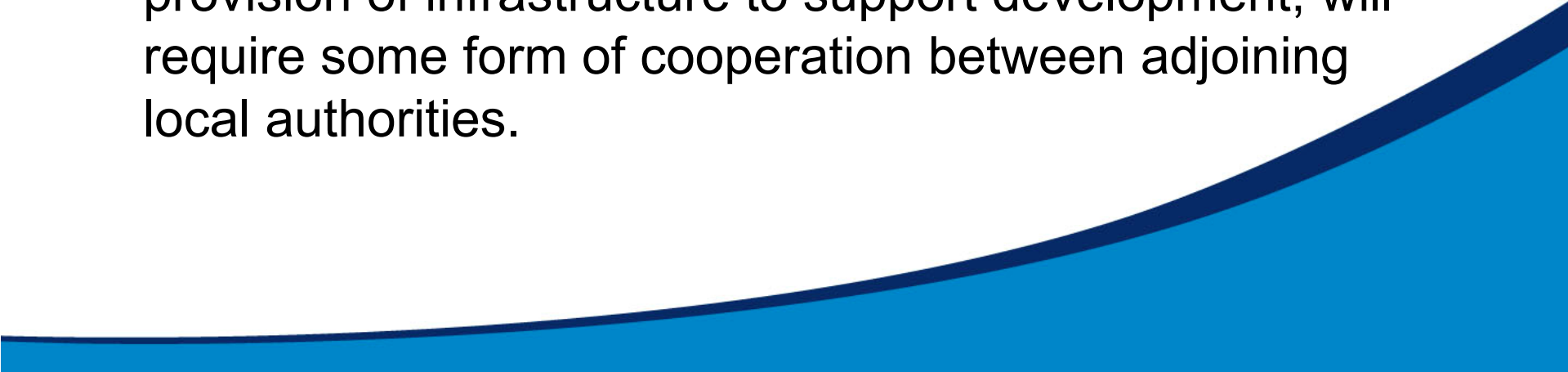
At the Department for Communities and Local Government we are helping to end big government and create a free, fair and responsible Big Society by:

- ***decentralising power as far as possible***
 - ***meeting people's housing aspirations***
 - ***putting communities in charge of planning***
 - ***increasing accountability***
 - ***letting people see how their money is being spent.”***
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Abolition of regional strategies & Duty to Co-operate

Communities secretary Eric Pickles wrote to local authorities in 2010 to tell them that the government intended to abolish regional strategies. The Localism Act will enable the government to do this. However implementation has been delayed and Baroness Hanham announced on 25th July this year that there would be a further round of consultation on this in relation to remaining regional spatial strategies (WMRSS – RPG11)

Duty to Co-Operate

- The duty to cooperate requires local authorities and other public bodies to work together on planning issues
 - The duty is being introduced because it is recognised that there is a need for coordination at a spatial level higher than individual local planning authorities. In particular, some elements of planning such as the provision of infrastructure to support development, will require some form of cooperation between adjoining local authorities.
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Community right to bid (assets of community value)

The Localism Act requires (from October 2012) local authorities to maintain a list of assets of value which have been nominated by the local community. When listed assets come up for sale or change of ownership, the Act then gives community groups the time to develop a bid and raise the money to bid to buy the asset when it is brought to the open market.

Neighbourhood planning

- The Act introduces a new right for communities to draw up a neighbourhood plan. The DCLG says that local communities will be able to use neighbourhood planning to grant full or outline planning permission in areas where they most want to see new homes and businesses.

Community right to build

- Development proposals will need to meet minimum criteria and have the agreement of more than 50 per cent of local people that vote through a community referendum.
- It will be for communities to determine the type of development they want to see, including the type and tenure of any [housing](#), including affordable housing.
- Any benefits from any development - such as capital or [rental](#) receipts - will remain within the community.
- Members of a community will need to set themselves up as a corporate body with the purpose of furthering the social, economic and environmental well being of the local community.

- Provided a neighbourhood development plan or order is in line with national planning policy, with the strategic vision for the wider area set by the Council, and with other legal requirements, local people will be able to vote on it in a referendum. If the plan is approved by a majority of those who vote, then the local authority will bring it into force.

Neighbourhood Plans in Shropshire


- The following communities have all been selected as 'frontrunners' to prepare Neighbourhood Plans to support the future development of their areas:
- Much Wenlock
- Oswestry
- Lydbury North
- Kinnerley
- Shrewsbury -Underdale, Monkmoor and Abbey wards

Requirement to consult communities before submitting certain planning applications

- Section 122 of the act introduces a new duty to consult local communities before submission of certain planning applications.
- As is the case with much UK legislation, not all the provisions of the new act became effective on the date it received royal assent.
- The new duty to consult will only come into force once communities secretary Eric Pickles makes further secondary regulations specifying the types of planning applications and the relevant thresholds to which the new duty will apply. A further statutory consultation will be required for such additional regulation.

Strengthening enforcement rules

The Localism Act will strengthen planning authorities' powers to tackle abuses of the planning system, such as deliberately concealing new developments. Government consulting on changes to planning appeal process from November 2012








Reforming the Community Infrastructure Levy

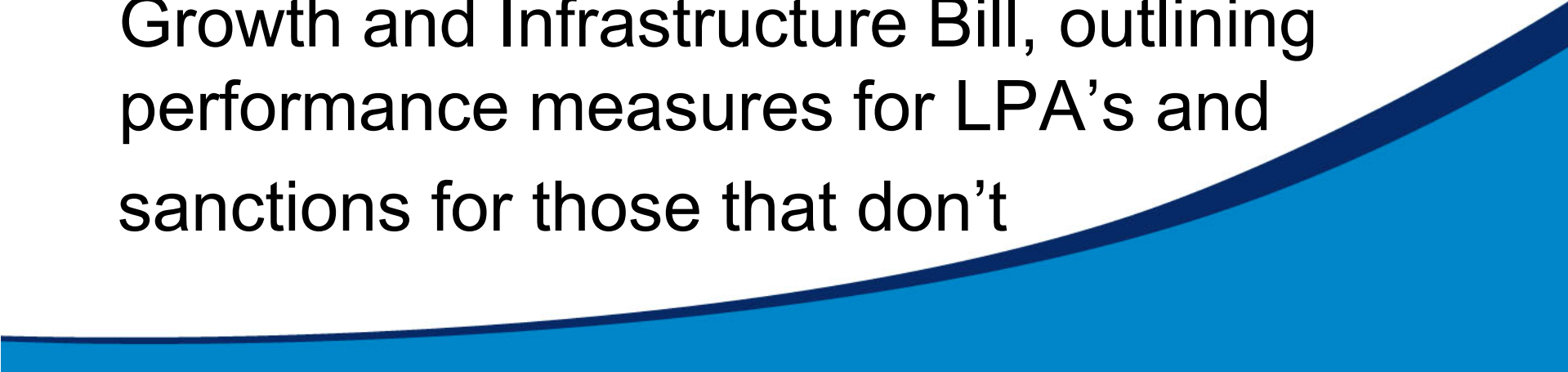
The Act gives the government the power to require that some of the money raised from the levy go directly to the neighbourhoods where development takes place.



Nationally significant infrastructure projects

The Localism Act abolishes the Infrastructure Planning Commission and hands its responsibility for taking decisions to government ministers.

Growth and Infrastructure Bill, outlining performance measures for LPA's and sanctions for those that don't



Clarifying the rules on predetermination

The Localism Act makes it clear that it is proper for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result.

