

UK Minerals Planning Forum

23 June 2016

Devolution and Planning

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Devolution and Planning

- Cities & LG Act allows transfer of significant powers and funding to LAs (and partners)
- Initially about 'city regions' but later extended to all LAs
- Allows for sub-national transport bodies in areas with more than one transport authority
- 11 deals agreed (although some in state of flux), others in advanced stages
- Iterative process with scope for further deals
- Greater Manchester seen as model to aspire to but long history of working together - CA established in 2011



Cities and Local
Government
Devolution Act 2016

Devolution & Planning

- No 'one-size-fits-all' but patterns emerging (dictated by DCLG?)
- No set timetable with deals moving at whatever pace is needed
- Concern that if left out of devo process will lose out on funding
- Deals proving much harder to agree outside city-regions, particularly in two-tier areas
- Key issues emerging around governance, geography and transparency of process

Devolution and Planning

- Boosting housing supply main priority
- Commitments around public land commission, mayoral development corporations and planning responsibility for Mayors re strategic applications
- Strategic planning frameworks featuring in many, recognising need to align economic, infrastructure and spatial priorities across dev areas but concerns about return of RS and structure plans getting in the way - no strategic planning component in West Midlands!
- May lead to development in areas not previously considered, especially if involving public sector land e.g. former MOD land
- H&P Act gives new local plan intervention powers to CA/ Mayors

Devolution Deals

Devolution Deals Agreed	Proposed Governance	Key planning proposals
Greater Manchester (Nov 2014)	CA + Mayor	<ul style="list-style-type: none"> • Strategic planning framework • Housing investment fund • Mayoral Development Corporation
West Yorkshire (March 2015)	CA + Mayor (?)	Agreed Land Commission but no further planning roles agreed as disagreements over geography and questions over directly elected mayoral preventing further agreements
Cornwall (July 2015)	LA+ LEP	Planning & Transport powers already functions of UA
North East CA (Oct 2015)	CA + Mayor	<ul style="list-style-type: none"> • Establish a North East Land Board (public owned land) • Devolve statutory planning powers to the Mayor • Create North East Planning Development Framework
Sheffield City Region (Dec 2014, Oct 2015)	CA + Mayor	<ul style="list-style-type: none"> • Creation of a spatial framework for managing planning across the CR • Prepare supplementary planning documents • Create Mayoral Development Corporations to support delivery on strategic sites • Consulted/call-in on strategic planning applications
Sheffield City but will possibly include some Derbyshire & Notts authorities		
Tees Valley (Oct 2015)	CA + Mayor	<ul style="list-style-type: none"> • Mayoral Development Corporation to help manage development of strategic sites - work on this to start immediately • Exploring other planning powers and responsibilities
Liverpool City Region (Nov 2015)	CA + Mayor	<ul style="list-style-type: none"> • Development of a Single Statutory City Region Framework • Consultation on and/call-in on strategic planning applications • Create Mayoral Development Corporation • Develop Land Commission to support the better coordination and release of public asset disposals.

Devolution Deals

Devolution Deals Agreed	Governance	Key Planning Proposals
West Midlands (Nov 2015)	CA + Mayor	<ul style="list-style-type: none"> Existing Local Authority functions (e.g. CP) will be conferred concurrently on the CA to be exercised by the Mayor. CA & HCA to develop joint approach to strategic plans for housing & growth Create a WM Land Commission Address barriers to housing delivery
Greater Lincolnshire (March 2016)	CA + Mayor	<ul style="list-style-type: none"> Spatial Framework to manage strategic planning across the area Consultation on and/call-in on strategic planning applications Create Mayoral Development Corporation Create supplementary planning documents Prepare a strategic infrastructure delivery plan by Sept 2016
West of England (March 2016) BaNES, Bristol, N Somerset, S Glous - but N Somerset now voted against deal due to concerns re governance	CA + Mayor	<ul style="list-style-type: none"> Endorses emerging Joint Spatial and Transport Plans - Mayor to adopt a statutory strategic spatial strategy Create supplementary planning documents Consultation on and/call-in on strategic planning applications Create Mayoral Development Corporation
East Anglia (March 2016) Suffolk, Norfolk, Cambridgeshire & Peterborough but new deals now being negotiated	CA + Mayor	<ul style="list-style-type: none"> Powers on strategic planning including preparation of a non-statutory strategic planning framework Develop a Land Commission Prepare a strategic infrastructure delivery plan within 6 months

Devolution – the new geographies

- Ministers pushing for ‘the bigger the better’ outside City Regions e.g. East Anglia, 3 Southern Counties (3SC).
- Although on paper it is LA choice, as with LEPs, Government ‘encouraging’ partnerships, with accusations of gerrymandering to ensure right political results for mayoral elections.
- Some keen to move away from existing administrative boundaries, particularly in two -tier areas, recognising ‘functional relationships’ - may cause problems for MPs

Devolution – Governance arrangements

- Ministers (& civil Servants?) want direct accountability - need one person to blame!
- Options are CA + Mayor, CA + restructuring or no deal.
- Areas that don't sign up to a mayor won't be a priority.
- Mayor will have different levels of powers depending on deal
- Devolution reignited old county/district tensions in two-tier areas.

“...despite the rhetoric around locally tailored deals, it has become increasingly clear that the government does have some unwritten rules, particularly around scale and governance. County proposals that have been considered too small have been challenged, while, more significantly, in almost all cases where there is anything other than modest ambition, the government would appear to be insisting on the introduction of a directly elected mayor.”

IPPR Empowering Cities (Nov 2015)

Devolution – Implications for Minerals Planning

1. **Lack of understanding between devolution ambitions and need for managed aggregates supply to deliver it!**
 - Deals being negotiated at highest level leading to disconnect between commitments around development and delivery - planning still considered ‘toxic’ by many.
 - Lack of awareness around strategic nature of aggregates planning with many key areas with devo deals relying on others for aggregates supply e.g. Greater Manchester.
 - So far minerals not part of strategic planning frameworks being prepared through devo deals but may change.
 - Is vital that planners highlight issue early on.

Devolution – Implications for Minerals Planning

2. Safeguarding minerals sites

- Priority for Government is boosting housing supply leading to sites not previously considered appropriate for housing.
- Already significant impact on employment land but could have major implications for minerals sites (e.g. wharfs & depots, sand & gravel sites on flat land)
- Aggravated by fact largely non-minerals planning authorities leading on devo especially in two-tier areas where safeguarding already an issue.

Devolution – Implications for Minerals Planning

3. Stability of Minerals Planning Authorities

- Minerals planning relatively untouched by 2004 and subsequent changes to planning system, recognising managed supply depends on inter-regional cooperation.
- BUT resources and expertise gradually being eroded (AWPs survived since 2011 but in reduced form).
- Stability and impact on already small pool of experts likely to be threatened through restructuring and new planning arrangements as part of devo deals.
- Need to highlight importance of this expertise and need for adequate resources (both to LAs and DCLG) - Greater Manchester, Leeds CR already doing this!

Devolution - conclusions

- Devolution will impact on most of England at some point in next year or so.
- Still early days for most but is working better where focused on city growth.
- Has been used to open the door on local government reorganisation leading to political fallouts across England but mainly in two-tier areas.
- Lack of understanding by those negotiating deals of planning's value, especially re strategic planning in delivering investment priorities - planning still seen as a barrier to growth by many
- Minerals Industry and Planning Authorities need to raise awareness of how important managed aggregates supply is in realising devo ambitions - without building materials the houses, offices and infrastructure simply won't be

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