



Localism Bill: abolition of the regional planning tier
and introduction of the Duty to Cooperate
Impact assessment



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This document provides a robust analysis of the potential impacts of one element of a package of policies that will have an impact on housing supply.

This document should be read in conjunction with impact assessments for related measures that form part of the Government's housing supply strategy. It should be recognised that some measures, considered in isolation, may not increase supply. However, they contribute to a new approach, which will deliver more of the homes that people want, where they want them. This new approach aims to rebalance power from central government to local authorities and local people, combined with new freedoms and financial incentives.

The Government's housing strategy and an overarching assessment of the impact of the Government's policies on housing supply can be found in the forthcoming DCLG paper, *A new approach to housing supply*.

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Title: Localism Bill: Abolition of the regional planning tier and introduction of the Duty to Cooperate	Impact Assessment (IA)
	IA No: DCLG 0055
	Date: January 2011
	Stage: Final
	Source of intervention: Domestic
	Type of measure: Other
Lead department or agency: Department for Communities and Local Government	Contact for enquiries:
Other departments or agencies: Planning Inspectorate and Government Office network	Eamon Mythen Ex 41654

Summary: Intervention and Options

What is the problem under consideration? Why is government intervention necessary?

Regional strategies impose policies, such as housing targets, on local planning authorities often alienating and antagonising communities and pitting them against development. The process for adopting regional strategies has been beset by controversy and it has been protracted and expensive. As a result of these long delays regional strategies have failed to provide certainty for communities and investors. Rather than unaccountable and remote bodies, the Government believes that it is local authorities and communities that should decide the level and distribution of growth in their areas. It will support them through powerful incentives so that communities see the benefits of growth. Intervention is necessary to decentralise decision making and to replace ineffective targets with powerful incentives.

What are the policy objectives and the intended effects?

Local authorities are best placed to plan for sustainable development that meets the aspirations of local communities and the Government wants to see decision making powers over housing and planning decentralised to local authorities and communities. This marks the first step towards giving communities their say and letting them manage development so that it delivers their vision for neighbourhoods. By removing the antagonism created by imposed targets, and through powerful incentives, including the New Homes Bonus, the planning system will start to support the delivery of new homes and economic growth. This will be done with the support of local communities as proponents of sustainable growth. The Duty to Cooperate will ensure that local authorities and other public bodies are involved in a continual process of active engagement to maximise the effectiveness of working on strategic planning issues and the preparation of local plans.

What policy options have been considered? Please justify preferred option (further details in Evidence Base)

The abolition of regional strategies is a policy priority for the Government. The following policy options were considered: 1. Do Nothing. 2. Abolition of the regional planning tier and introduce the Duty to Cooperate.

The preferred option and the one implemented is option 2. This is in line with government priorities.

<p>When will the policy be reviewed to establish its impact and the extent to which the policy objectives have been achieved?</p>	<p>Data will be available from the Planning Inspectorate on local planning authority progress on development plan preparation.</p>
<p>Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?</p>	<p>Yes</p>

Ministerial Sign-off For final proposal stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.

Signed by the responsible Minister: Greg Clark Date: January 2011

Summary: Analysis and evidence

Policy Option 2

Description:

Repeal Part 5 of the Local Democracy Economic Development and Construction Act and introduce the Duty to Cooperate

Price Base Year 2010	PV Base Year 2010	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: <£139m	High: >£139m	Best Estimate: £139m

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant	Total Cost (Present Value)
Low	Optional	Optional	£9m
High	Optional	Optional	>£9m
Best Estimate	£8m		£9m

Description and scale of key monetised costs by 'main affected groups'

The abolition of regional strategies imposes transitional costs associated with winding up Leaders' Boards responsible for revising, implementing and monitoring regional strategies. It also has associated costs for the Government Office network, and Planning Inspectorate in facilitating the transition. The winding up of leaders' boards is estimated to result in transitional costs of £8m. However these transitional costs are smaller than the ongoing costs of continuing to revise, implement and monitor regional strategies described below.

The Duty to Cooperate will impose an admin cost of approximately £0.8m on public bodies responding to requests for information from local authorities.

Other key non-monetised costs by 'main affected groups'

Our worst case scenario involves the potential for a negative impact on supply following a reduction in plan numbers as a result of regional strategy abolition which, if monetised, would increase the costs above. There may be external costs associated with the removal of Regional Strategies: 1. Local planning authorities having to undertake additional work, e.g. evidence gathering. 2. Absence of a regional strategy may delay processing of planning applications and preparation of local plans. 3. Burdens on Planning Inspectorate if more applications go to appeal or are referred back. 4. Loss of intellectual capital with the winding up of Leaders' Boards. 5. Uncertainty for the development industry.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant	Total Benefit (Present Value)
Low	.	Optional	£147m
High	Optional	Optional	>£147m
Best Estimate		£17.1m	£147m

Description and scale of key monetised benefits by 'main affected groups'

At this stage we can identify the following main affected groups who will save on administrative costs, because they do not need to participate in the ongoing preparation of Regional Strategies: 1. Leaders' Boards which have been wound up (£16m pa); 2. Government Office network (£0.1m pa); 3. Planning Inspectorate acting on behalf of the Secretary of State to appoint Independent Panel Chairs, organise and resource Examination in Publics/report writing (£1m pa); 4. Local planning authorities and stakeholders who no longer have to engage in Examinations in Public and prepare evidence etc.

Other key non-monetised benefits by 'main affected groups'

Local communities will be free to develop plans for sustainable development which reflect the aspirations of local communities without the burden of regional housing targets. Our best case scenario involves the potential for positive behavioural responses by local authorities following regional strategy abolition i.e. in some areas regional targets created opposition to development and as such removal of targets could potentially increase development by increasing the acceptance rate for planning applications. There is currently no evidence to quantify this impact on acceptance rates, however we have considered a number of illustrative scenarios to show the potential impact of higher acceptance rates on the number of permitted new dwellings(see page 14, Table 3). If monetised, this additional supply would increase the benefits presented under the best case.

Key assumptions/sensitivities/risks

Discount rate (%)

Disc

3.5%

Local planning authorities will embrace the opportunity to take responsibility for decisions and work in partnership with others on strategic planning matters. Through powerful incentives local authorities will provide for the economic and housing growth needed. Key risks are that local planning authorities will not cooperate on cross boundary issues or plan for the growth needed without the framework of regional strategies. An associated risk is that local planning authorities will not have the skills and capacity for effective strategic planning with a consequential risk to the delivery of sustainable patterns of development and economic growth. The Government will mitigate these risks, through for example the proposed duty to cooperate and the New Homes Bonus, so that communities will benefit directly from delivering the housing growth and new business that they want and need.

Impact on admin burden (AB) (£m):

New AB:

AB savings:

Net:

Impact on policy cost savings

Policy cost savings:

In

Yes

Enforcement, implementation and wider impacts

What is the geographic coverage of the policy/option?	England	
From what date will the policy be implemented?	2011	
Which organisation(s) will enforce the policy?	N/A	
What is the annual change in enforcement cost (£m)?	N/A	
Does enforcement comply with Hampton principles?	N/A	
Does implementation go beyond minimum EU requirements?	N/A	
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded: N/A	Non-traded: N/A
Does the proposal have an impact on competition?	No	
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?	Costs: 100%	Benefits: 100%

Annual cost (£m) per organisation (excl. Transition) (Constant Price)	Micro	< 20	Small	Medium	Large
Are any of these organisations exempt?	No	No	No	No	No

Specific Impact Tests: Checklist

Set out in the table below where information on any specific impact tests undertaken as part of the analysis of the policy options can be found in the evidence base. For guidance on how to complete each test, double-click on the link for the guidance provided by the relevant department.

Please note this checklist is not intended to list each and every statutory consideration that departments should take into account when deciding which policy option to follow. It is the responsibility of departments to make sure that their duties are complied with.

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
Statutory equality duties¹ Statutory Equality Duties Impact Test guidance	Yes	23
Economic impacts		
Competition Competition Assessment Impact Test guidance	No	23
Small firms Small Firms Impact Test guidance	No	23
Environmental impacts		
Greenhouse gas assessment Greenhouse Gas Assessment Impact Test guidance	No	23
Wider environmental issues Wider Environmental Issues Impact Test guidance	No	23
Social impacts		
Health and well-being Health and Well-being Impact Test guidance	No	23
Human rights Human Rights Impact Test guidance	No	23
Justice system Justice Impact Test guidance	No	23
Rural proofing Rural Proofing Impact Test guidance	No	23

¹ Public bodies including Whitehall departments are required to consider the impact of their policies and measures on race, disability and gender. It is intended to extend this consideration requirement under the Equality Act 2010 to cover age, sexual orientation, religion or belief and gender reassignment from April 2011 (to Great Britain only). The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Sustainable development <u>Sustainable Development Impact Test guidance</u>	No	24
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Evidence Base (for summary sheets) – Notes

Use this space to set out the relevant references, evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Please fill in **References** section.

References

Include the links to relevant legislation and publications, such as public impact assessment of earlier stages (e.g. consultation, final, enactment).

No.	Legislation or publication
1	Policy statement on regional strategies (published February 2010)
2	Conservative Green Paper: Open Source Planning (published February 2010) http://www.conservatives.com/news/news_stories/2010/02/new_homes_and_jobs_through_open_source_planning.aspx
3	The Coalition: our programme for government (published May 2010) http://programmeforgovernment.hmg.gov.uk/files/2010/05/coalition-programme.pdf

+ Add another row

Evidence Base (for summary sheets)

Rationale for intervention / policy objective

The Government intends to decentralise decision making over housing and planning matters to local authorities and communities. The abolition of regional strategies² is an important step towards its objective of giving communities the greatest possible opportunity to have their say and manage development so that it delivers their vision for neighbourhoods. By abolishing regional strategies local planning authorities will be able to work with communities to see their vision for sustainable development realised.

The decentralised approach will mean that local plans are more, not less important because they will deliver the sorts of projects that people want and support. By replacing weak targets with powerful incentives, communities will be able to see real and direct benefits from accepting growth. Thus the planning system will start to support the delivery of new homes and economic growth in a way that it has been prevented from doing under the regional strategy system.

The fundamental economic problem with a top-down approach, such as regional housing targets, is that the delivery of strategic objectives can be frustrated if there is a misalignment between the objectives of government (at the top) and those of local authorities and communities (at the bottom). If government wants to impose a certain level of housing on a community but local people do not want to pay the costs (i.e. in terms of more congestion, extra pressure on public services etc.) then this misalignment of preferences will result in conflict and opposition to housing.

The removal of regional strategies is only one element of a wider package of reforms, which will transform planning for housing and help to support the delivery of more homes of the type people want and where they are needed. A separate document (forthcoming DCLG paper, *A new approach to housing supply*) sets out the different elements of the package and provides an assessment of how together they will impact on housing supply. The related document also sets out the evidence in support of the Government's new approach, which is in stark contrast to the previous top-down system of targets.

The Government's housing supply strategy, which includes the removal of regional strategies, is to:

- devolve decision-making powers on housing and planning to local authorities, so that they are able to innovate solutions and respond to the needs of their different communities, including how many houses are needed in their locality
- at the same time, give power to local people to engage in genuine local planning through collaborative democracy, for example, designing a local plan from the "bottom up" starting with the aspirations of neighbourhoods
- provide powerful fiscal incentives so that local communities benefit financially for accepting housing growth
- increase the confidence to invest in housing by creating macroeconomic stability, so that interest rates stay low and businesses have the certainty they need to plan ahead

² The abolition of Regional Strategies includes the legislative structure for Regional Strategies in Part 5 of the Local Democracy Economic Development and Construction Act 2009 and existing Regional Strategies and their contents. References in this Impact Assessment to the abolition of Regional Strategies should be taken to mean this description.

- support private sector growth by reducing government interference and reducing the total cost of regulation on home builders
- provide local authorities with new fiscal freedoms by allowing them to borrow against future tax revenues and provide them with access to finance through a regional growth fund to finance infrastructure for housing.

Background

The *Town and Country Planning Act 1947* created the system we have today whereby all local planning authorities have to draft a local plan setting out policies for the development and use of land. The *Town and Country Planning Act 1968*, introduced county structure plans to co-ordinate and guide local plans.

In 1988 Regional Planning Guidance was introduced to provide a strategic framework for county structure plans. Regional planning guides were regional plans but they were not statutory and therefore county structure plans and local plans were not required to be in conformity with them. They usually covered geographic areas corresponding to the Government Office regions but a number of them were thematic.

The *Planning and Compulsory Purchase Act 2004* introduced a two tier statutory spatial development plan system consisting of:

- at the regional tier, regional spatial strategies; and
- at the local tier, local development frameworks.

The counties retained statutory planning powers to draft minerals and waste plans, but county structure plans were abolished.

The *Local Democracy, Economic Development and Construction Act 2009*, enhanced the regional planning tier by combining the existing regional spatial strategies and regional economic strategies to create a single integrated regional strategy. These came into existence on 1 April 2010 for the eight English regions outside of London.

The coalition agreement makes clear the Government's commitment to abolishing regional strategies. On the 27 May 2010 the Secretary of State wrote to all local planning authorities and the Planning Inspectorate confirming the Government's policy position on regional strategies and on the 6 July 2010 through a Parliamentary Statement the Secretary of State revoked regional strategies³.

Problem under consideration

Regional planning in England evolved piecemeal from 1947, often in response to initiatives from local authorities who came together to work collaboratively to tackle strategic planning issues, such as the scale and distribution of housing across districts and counties. This form of collaborative planning was often organised through ad hoc conferences, such as the South East Regional Planning Conference. As such they were based on voluntary cooperation between authorities, and the guidance produced was non statutory so it was not binding on authorities.

³ The Secretary of State's decision was challenged by CALA Homes (South) and on 10 November the Judge found in favour of CALA Homes. Regional Strategies have been re-instated as part of the statutory development plan. They will be abolished through the Localism Bill.

The issue for the Government is related to changes brought about by the *Planning and Compulsory Purchase Act 2004* which put regional planning on a statutory footing. This has created two broad issues of concern. First, the strategies were prepared by regional planning bodies who were remote from the communities they served and were not democratically accountable. Second, they set housing targets for local authorities to deliver through their local plans which often resulted in alienating and antagonising local communities.

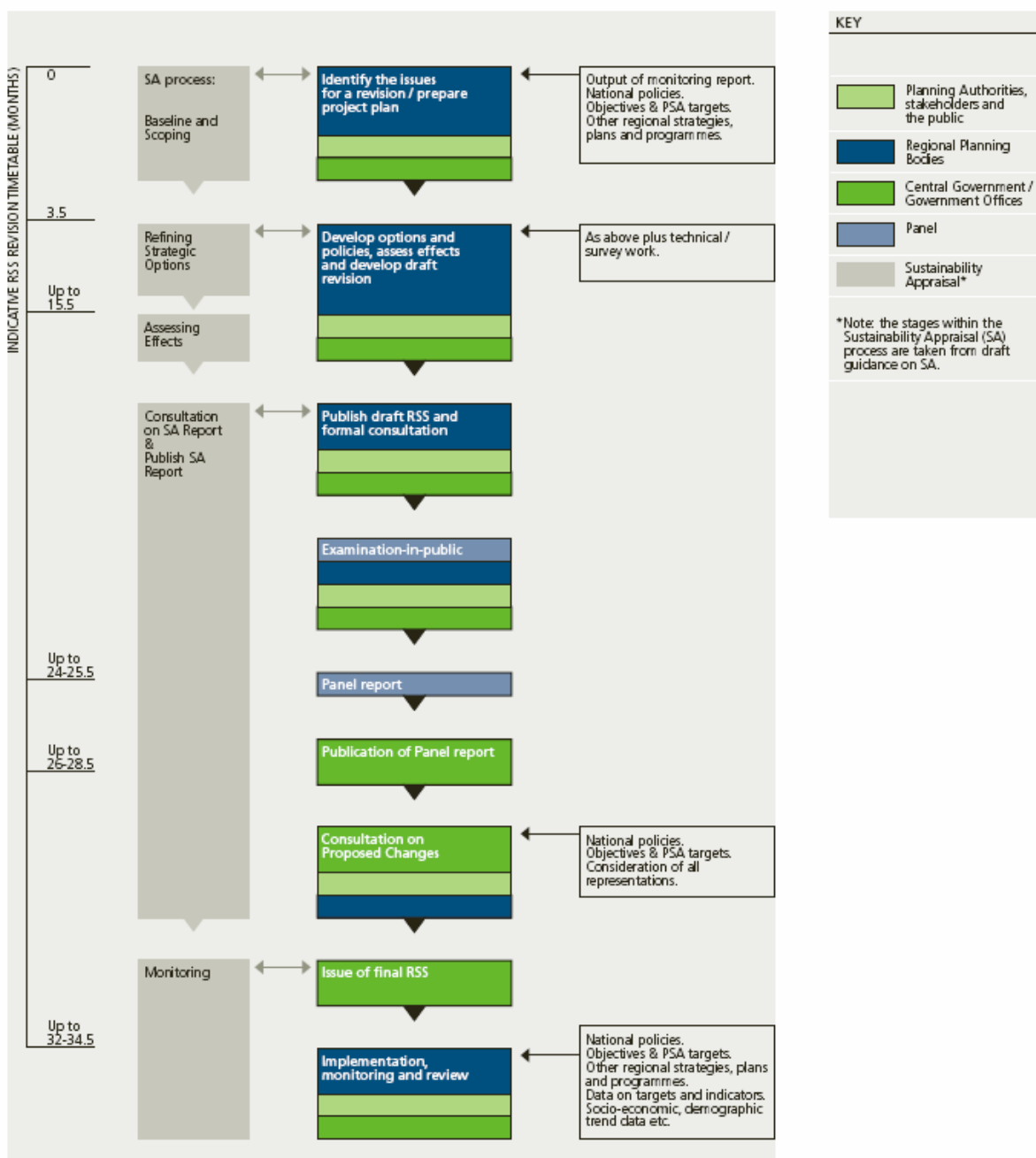
These concerns are borne out by three key criticisms of the regional strategy process: that it is complex and time consuming; very expensive; and that the strategies themselves attract a high level of public opposition. These issues are examined in more detail below.

a) Complex and lengthy revision process

The revision process for regional spatial strategies involved a series of complex stages, as illustrated by the table below.

Figure 1: Figure 2.1 from Planning Policy Statement 11

Figure 2.1 – RSS Revision Process



Regional strategies which replaced regional spatial strategies on the 1 April 2010 had an equally complex revision process involving 11 stages.

The lengthy nature of the regional spatial strategies process is detailed at Annex 2 which provides a snap shot of the time taken to produce regional spatial strategies since 2004. From the announcement of the regional spatial strategies system through the *Planning and Compulsory Purchase Act in 2004*⁴, it took four to five years for a final regional spatial strategy to be published (indeed two were never finalised). The shortest period of time between a draft regional spatial strategy and a final regional spatial strategy was 1.5 years, but this was considerably longer in other areas.

As a result of the complexity and time involved, the regional spatial strategy review process became open ended and this created instability and uncertainty for communities, local authorities preparing local plans and for those promoting and investing in schemes for new homes and economic growth.

Apart from the South West, programmes were in place to revise regional strategies from the 1 April 2010 to convert the existing regional spatial strategies and regional economic strategies into integrated regional strategies. If regional strategies were to continue this would create a further period of uncertainty for the development plan system, as communities waited for the full revision of their regional strategy to be completed.

b) Expensive process

The regional strategy process has also been expensive. For example, the running of the leaders' boards, established in April 2010, to oversee the revision, implementation and monitoring of regional strategies cost around £16m per year. Further costs were also incurred by the Government Office network, other government departments, Planning Inspectorate and local planning authorities in the preparation and revision of regional strategies. This is illustrated by the indicative administrative costs by participating bodies in Financial Year 2010/11:

- £1m (Planning Inspectorate)
- £16m (Leaders' Boards)
- £100,000 (Government Office Network, largely staff related costs).

c) Opposition to regional spatial strategies

It is clear from practical experience that regional spatial strategies have antagonised communities, setting them against growth proposals generally and housing targets in particular. The prolonged process for agreeing them has meant that regional strategies failed to provide certainty for communities or investors.

Public opposition to regional strategies has been significant. Annex 3 provides details of the level of representations and comments made which ran into thousands. Key issues were opposition to both growth plans and additional housing development. Other issues included retail hierarchies, transport, flooding, and climate change.

For example, in the East of England the Government Office received 21,500 representations/comments on the draft regional spatial strategy, of which most (78%) were objections. These focused on four policies around which there had been public campaigns: green belt, housing provision, the Harlow Key Centre for Development and Change, and the

⁴ Came into force July 2004 after Royal Assent in May 2004.

London Arc. While the draft plan was submitted to the Secretary of State in December 2004 the final regional spatial strategy was not published until 2008, only to be challenged and for the High Court to rule that it failed to meet Strategic Environmental Assessment Directive requirements with respect to three towns.

Regional spatial strategies were also beset by legal challenges, a further sign of public opposition to them. The East of England Regional Spatial Strategy partial revision on Gypsy and Travellers was subject to two legal challenges. The South East Regional Spatial Strategy was subject to six legal challenges.

It is clear from this level of opposition that regional strategies do not reflect many local community aspirations. All communities see the cost of development and growth being imposed on them. This has created antagonism, with local communities taking a strong stand against development. As stated above this opposition meant that regional spatial strategies were badly delayed and increasingly expensive to produce. The delay and uncertainty has meant that they failed to provide a clear basis for planning and investment decisions, thus further delaying proposals for growth and development. The Government's package of incentives for local authorities to deliver sustainable development, including new homes and businesses, will address this issue head-on ensuring that communities see the benefits of development which will see them welcome new housing rather than resist it at all cost.

Abolishing regional strategies will return decision making to local authorities and communities which is a key government objective. By decentralising decisions to local authorities the Government will be removing the inefficiencies and expense associated with regional strategies. Replacing imposed targets with powerful incentives will also ensure that the planning system works with the grain of local communities and starts to deliver more housing and business growth.

Effectiveness of regional strategies

A key test of success, or failure, of the regional strategy system is the strength of relationship between 'on paper' regional housing targets and actual housing delivery. On the supply side of the equation, the regional strategy system relies on a cascade from regional targets through local plans and planning decisions. On the demand side of the equation (planning applications) are private developers whose investment decisions depend on market conditions and development costs, which include costs of the planning system (either direct costs, or indirect costs associated with uncertainty).

On the supply side, the cascade down from regional targets relies on cooperation or compliance with the system by local planning authorities. The regional strategy system did not provide any explicit incentives for the former, but did reward authorities for their compliance with the processes of the system (i.e. through the Housing and Planning Delivery Grant). More controversially the system involved 'sticks' to the extent that local plans and decisions could be over-turned by an independent inspector if deemed not to be 'in general conformity'.

In any top down system, enforcement of 'imposed' rules or targets can be costly and/or ineffective. Avoidance is possible to the extent that participants can either openly disregard the system (which may then require costly enforcement) or appear to comply with the rules of the game (which may make enforcement more difficult or potentially more expensive).

Evidence Box 1

Top down target setting and public choice theory

Individuals and households are motivated to maintain/increase their personal well-being and that of their family and friends; and local politicians have an incentive to reflect this in their policies and decisions. This may mean opposing development. In the context of the regional strategy system it is clear to see why housing targets were not easily met, due to a lack of incentives. In fact the way local authorities are funded has acted as a disincentive for communities to accept growth. When household numbers increase (due to growth), budgets do not increase proportionately so expenditure per capita spend is reduced (*Barker Review of Land Use Planning, Interim Report*, chapter 8). This provides a clear disincentive on the part both of individuals (whose well-being is reduced) and their representatives (whose likelihood of gaining votes has fallen) to support extra housing.

Getting the right incentive structure in place is key to housing delivery. Independent commentators have argued that if a devolved, locally-based planning system was married to a fiscal incentive structure, whereby local communities could benefit financially from growth, they would be more likely to take account of the benefits as well as the costs of new development⁵. This could reduce the anti-development bias that exists in the current system where local people take on the costs, but in most cases do not directly stand to benefit⁶.

The Government believes that decisions should be taken at the local level within a framework of incentives. This means local authorities have an incentive to set their own ambitious targets, appropriate to local circumstances, which they then have an incentive to deliver.

An assessment of the Government's wider package of housing and planning reforms, including the New Homes Bonus incentive, is set out in the forthcoming DCLG paper, *A new approach to housing supply*.

The cascade from regional targets to local plans

There is some evidence that regional targets have helped to raise the level of ambition on housing numbers at the regional level (see evidence box below) but there has been only limited success in translating these into local plans. Only 63 local authorities, approximately 20 per cent, adopted a core strategy (which means that they updated their local plans such that they were in 'general conformity' with the adopted regional strategy).

⁵ Pennington, M. (2002), *Liberating the Land, The Case for Private Land-use Planning*, The Institute of Economic Affairs
<http://www.iea.org.uk/files/upld-book134pdf?.pdf>

⁶ Local people can benefit indirectly from new housing if a s106 agreement is in place to provide site specific infrastructure.

Evidence Box 2

Effectiveness of regional strategies

The basic rationale for the regional strategy system was that it would support housing supply by setting regional targets which would be adopted through local development plans that inform local planning decisions. Developers were able to appeal planning decision with reference to the regional strategy, so in theory the targets could influence planning decisions in the absence of up-to-date local development plans.

The key benefit of the regional dimension of this approach was to ensure housing investment was strategic and co-ordinated, thus taking into account wider evidence on long term housing requirements (advice from the National Housing and Planning Advice Unit) plus helping to avoid the 'free-rider' problem that would be likely to arise if plans were left purely to the local level. (Because the costs of housing developments are so localised but the benefits much wider, there is an incentive for local authorities to 'free-ride' and benefit from development in neighbouring areas).

Regional spatial strategies were made statutory in six of the eight regions. The table below displays the evolution of the regional housing figures through the regional spatial strategies process. This includes:

- a. the regional planning guidance housing numbers pre-regional spatial strategy
- b. the draft regional spatial strategy figures
- c. the numbers that the Secretary of State submitted as part of the Examination in Public challenge process which were based on the 2003 household projections
- d. the outcome of the examination in public process
- e. the numbers in the adopted (or latest when not adopted) figures in the regional spatial strategy.

Table 1: Evolution of regional spatial strategy numbers

Region	Annual housing rate in RPGs/RSSs in 2004	Draft RSSs	Housing figure put forward by SoS at EiP (Based on 2003 HH projections)	Panel report recommendation (i.e. result of EiP process)	Numbers in latest stage of RSS revision (adopted RSS)
South East	29,550	28,904	36,300	32,008	32,688
East of England	20,850	23,900	27,800	25,275	25,400
South West	20,200	23,060	23,060	28,475	29,623
East Midlands	15,925	20,418	19,500	21,758	21,517
West Midlands	16,000	18,280	17,800	19,895	19,895
Yorkshire and Humber	13,654	16,600	17,700	22,140	22,260
North West	12,790	22,844	23,100	23,111	23,111
North East	6,000	6,295	5,300	6,580	7,580
TOTAL (excl London)	134,969	160,301	170,560	179,242	182,074

= RSS not final

The regional spatial strategy process did appear to push up the housing numbers through the draft regional spatial strategy, examination in public challenge process to the final regional spatial strategy targets. Indeed, in each region, the adopted regional spatial strategy was higher than both the regional planning guidance and draft regional spatial strategy housing numbers. However, this was clearly a very lengthy process and as discussed later targets do not automatically translate into delivery.

In the absence of an updated core strategy, the system required local planning authorities to reflect regional strategy targets in their five year land supplies. The evidence on this is mixed. As at April 2009, 86 per cent of all local planning authorities reported to have identified sufficient sites to supply 100 per cent or more of the housing requirement for the next five years.⁷

The 86 per cent is very likely to be an over-estimate. It is based on self-reported housing land supplies by local authorities, which have not been independently verified. A recent Planning Inspectorate study⁸ of 132 local authorities found that only 61 per cent had a verified land supply.

Furthermore, there is doubt around the robustness of these land supply figures because Local authorities effectively have an incentive to report that they meet their land requirement because a) a component of the Housing and Planning Delivery Grant was attached to having this five year land supply, and b) authorities that cannot demonstrate a five year land supply, must look favourably on planning applications and appeals, thus leaving the authority potentially vulnerable to losing appeals and therefore controlling/securing the best and most appropriate forms of development.

Many have questioned the validity of the 86 per cent figure. The house building industry has challenged local authorities' five year land supplies as being based on 'hope' rather than hard evidence of their deliverability. The Home Builders Federation has questioned the extent to which local authorities liaised with landowners and developers about the identified sites in order to see if their assumptions were realistic, in terms of whether or not they are still likely to be delivered, and at what particular point in time.

Of course regional strategy targets could potentially influence delivery even in the absence of a properly deliverable five year land supply. Developers could appeal planning decisions using regional strategies as the basis for appeal.

However, planning by appeal is costly and adds to uncertainty for developers (see evidence box 3). Whilst the ability to appeal could potentially lead to decisions in favour of development, the costs and uncertainty may have held back development.⁹

Evidence Box 3

The cost of the planning process

Evidence from Ball* suggests that the time taken between a site having a full planning application submitted and then subsequently gaining planning permission is an average of 43 weeks compared to the target of 13 weeks. This time is found to increase with the size of the development and the affluence of the area. Ball estimates the transaction costs alone of delays at £3bn per year. These delays may have been caused in part by uncertainty about growth proposals at the regional planning level. Delays to granting planning permissions for housing will inevitably have impacted negatively on supply.

* <http://www.communities.gov.uk/documents/507390/pdf/1436960.pdf>

⁷ <http://www.communities.gov.uk/publications/corporate/statistics/landsupply2009>

⁸ Five Year Land Supply Coverage in England, Planning Inspectorate for DCLG, March 2010, <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1515960.pdf>

⁹ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1515960.pdf>

The recent Planning Inspectorate study¹⁰, on the basis of appeals data, where conclusions on five-year housing land supply were identified, 61.4 per cent (81) were found to have a five-year housing land supply. This confirms that the 86 per cent figure is likely to be an over-estimate, though it is hard to extrapolate from a study based on the 81 authorities with conclusions on five year housing land supply.

In summary so far, the evidence suggests there has been limited success in translating regional targets into local plans. There were incentives in the system to comply with processes, but ultimately delivery (on the supply side) depends on decisions made by local planners based on the incentives they face, which may have frequently been negative in the absence of positive incentives (see evidence box 1). Whilst developers could potentially appeal planning decisions, with reference to the regional strategy, this may not always have been a viable option.

Thus far we have considered the potentially positive transition mechanism from RS housing targets through to housing delivery. The evidence is mixed but suggests the relationship may be a weak one. But we can also consider the potentially negative impact of the system and top down targets.

The existence of regional strategy targets and strategic plans based on unwanted targets may in some cases have reduced development. Regional strategy targets have the potential to turn communities against development and delay housing delivery through legal dispute. Indeed evidence presented previously regarding the number and nature of representations / comments on the regional strategies demonstrates the level of public opposition.

It is plausible that even reduced targets, if they are accepted by the community, could lead to higher housing delivery. The relationship between housing targets and housing delivery is likely to be much stronger where the targets are chosen rather than imposed and where there are appropriate incentives (other things being equal – the demand side is also important).

There is also evidence to suggest that other top-down housing targets distorted the market and produced perverse outcomes. One example is the previous government's density target.

In 2000, local authorities were encouraged to avoid developments of less than 30 dwellings per hectare (dph) and encouraged to favour those of between 30 and 50 dph. In 2006, this was strengthened further when a national indicative minimum density was introduced to guide policy development and decisions until such time as a local density policy was put in place. The effect of these top-down interventions is clear to see. The first chart below shows the clear break in trend of density figures from 2001 onwards, increasing from 25 dph in that year to 44 dph in 2007. While this can be viewed as an efficient use of scarce land, it has also led to distortions elsewhere in the housing market, such as the pressure to build on garden land and the rapid increase in the proportion of flats and the decline in new build family dwellings. The resultant oversupply of flats relative to other dwellings is reflected in the more moderate house price growth for flats compared to all dwellings.

¹⁰ *Five Year Land Supply Coverage in England*, Planning Inspectorate for DCLG, March 2010, <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1515960.pdf>

The need for local decision-making

Research has shown that national targets decrease the attention decision-makers give to community groups¹¹. The system of top-down housing targets therefore marginalised local people and, when they were engaged in planning decisions, studies show that they were often presented with limited options, giving the impression that decisions have already been taken, or were consulted on 'abstract' strategies (such as regional spatial strategies) rather than plans for their local area¹².

The Government believes that local people need to be re-engaged in the planning process and that, when they are informed and involved in the decision-making process, better outcomes can be achieved. For instance studies show that policies which are more sensitive to local conditions are likely to be more effective in encouraging economic development than centrally determined policies, which ignore these spatial differences.¹³

However, at present local people do not feel engaged in the decision-making process. According to Ipsos MORI, only 15 per cent of people consider themselves to be involved in decision-making at local level. Of those 15 per cent, the majority (9%) consider themselves unable to influence decisions.¹⁴ The evidence suggests that if the public are to become more engaged then they need to have confidence in the decision-making process and need to feel that plans have been developed in the best interests of their community by those they trust to act in the communities' best interests.

The evidence suggests that people place most trust in decisions made by their fellow citizens. For instance, the British Social Attitudes Survey finds that whilst only a third of the public say they would trust a group of politicians to make a difficult planning issue decision, two-thirds say they would trust such a decision made by a sample of 12 members of the public¹⁵. This points the way towards a collaborative approach to plan making, that seeks to directly involve local people in the decision making process.

Case study evidence shows that this approach could help planners achieve better outcomes: by enabling them to make decisions that reflect community needs and values; by making them aware of the public's needs and preferences; and by using local knowledge to inform projects. Furthermore, with active engagement in the planning process, communities can help to shape developments. This will help to produce more optimal outcomes that maximise welfare and reduce levels of opposition to new housing. The evidence suggests that communities are not against development per se but that specific aspects cause concern: whilst 21 per cent of respondents opposed new supply in their area, this number fell to 8 per cent if homes are well-designed and in keeping with the local area¹⁶. Thus, higher rates of community involvement in the planning and development process could lead to acceptance of new development.

¹¹ Murdoch, J. and Abram, S. (1998) Defining the Limits of Community Governance, *Journal of Rural Studies*, 14(1), 41-50

¹² Baker, M., Hincks, S. and Sherriff, G. (2009) *Getting Involved in Plan Making: Participation and Stakeholder Involvement in Local and Regional Spatial Strategies in England*, Paper presented at Regional Studies Association Annual International Conference, Leuven, Belgium, 6-8 April

¹³ Oates, W. E. (1993) *Fiscal Decentralisation and Economic Development*, *National Tax Journal*, Vol. 46, no. 2, pp. 237-43.

¹⁴ Ipsos MORI (2010). *Do the public really want to join the government of Britain?*

<http://www.ipsos-mori.com/Assets/Docs/News/Do%20the%20public%20want%20to%20join%20government%20of%20Britain.PDF>

¹⁵ Halpern, D. (2009) *The Hidden Wealth of Nations*.

¹⁶ YouGov (<http://www.communities.gov.uk/documents/507390/nhpau/pdf/16127041.pdf>)

Therefore, the Government will abolish top-down regional housing targets and pass planning powers back to local people, promoting greater community participation in planning decisions via a new system of Neighbourhood plans. Fiscal incentives will also be put in place to financially reward local communities that go for growth.

This new localist, incentives approach to housing and planning will enable local people to shape the communities in which they live and allow them to derive financial benefits from accepting new housing. The evidence presented in this section highlights that better outcomes could be achieved if local communities are engaged in the decision-making process, resulting in a more collaborative, democratic approach to housing and planning.

Abolition of regional strategies and housing delivery

The relationship between regional strategy targets and housing delivery is a complex one. The first link is the potential impact on local housing plans. It is not clear how local authorities will react to abolition of regional strategies. They may therefore initially stick with current regional strategy numbers. The Conservative Party's Open Source Planning document (published just before the election) suggested that local planning authorities might revert back to their so-called "option 1" figures, i.e. the local authority's own assessment of housing numbers required to meet local needs *before* these numbers were 'pushed up' by central government¹⁷. Assuming that this means the draft regional spatial strategy figures, in total the difference between draft and final RSS numbers is of the order of 20,000 per year or 200,000 over a twenty year time horizon (see evidence box 2 for the evolution of housing numbers from regional planning guidance to adopted regional spatial strategies).

A recent Tetlow King study for the National Housing Federation, based largely on telephone interviews, finds that the aggregate number of planned homes dropped either directly or indirectly because of the abolition of regional strategies, on the basis of official announcements is a total of 99,188 over 20 years (an average reduction of 5,000 per year). However, the authors of the study note that the research was carried out prior to any formal Coalition Government announcements on house building incentives and that the sample was heavily biased towards the South West, with over half of the reported reduction, coming from that region. This may be untypical because the South West Regional Strategy has not been finalised and has generated considerable local opposition, which may have resulted in a lower housing number in the final regional spatial strategy.¹⁸

It should be noted that on the 6 July when the Secretary of State's decision to revoke regional strategies was announced his statement was clear that the Government was committed to housing growth and guidance was issued to chief planning officers which confirmed that if local authorities decide to review their housing targets they will need to justify their new housing numbers and defend them during the local development framework examination process. Furthermore, the local authority surveys undertaken by Tetlow King provide initial estimates of revisions to housing targets. It is unlikely that these figures will yet have been informed by robust evidence and they will certainly not have been tested at examination. It is too early therefore to present them as a firm indication of the level of housing being planned by local authorities, however they do provide a useful illustration.

A complementary study by the Building and Social Housing Foundation, which focuses on the Midlands and North of England, finds that: in the Midlands 38 per cent of surveyed local authorities are keeping their regional strategy targets for housebuilding; 32 per cent of local

¹⁷ <http://www.conservatives.com/~media/Files/Green%20Papers/planning-green-paper.ashx>

¹⁸ Appendix to NHF submission to the DCLG Select Committee enquiry into the abolition of Regional Spatial Strategies

authorities are undecided; 21 per cent of local authorities are intending to adopt a new target; 9 per cent of local authorities are using the regional spatial strategy while they decide a new figure.¹⁹

For the remaining regions surveyed (West Midlands, Yorkshire and the Humber, North East and North West), 48 per cent of local authorities are keeping the regional strategy targets for house building; 30 per cent of local authorities are undecided; 13 per cent of local authorities are intending to adopt a new target; 5 per cent of local authorities are using the regional spatial strategy while they decide a new figure.

The position in the South West is unsurprising because targets had not been fully adopted and therefore local authorities had not had a chance to challenge the figures.

The Building and Social Housing Foundation and Tetlow King analysis seems to suggest that a significant percentage of local authorities may leave their housing targets unchanged following abolition of the regional strategies. This is because the regional strategy targets were, in some cases, consistent with, or lower than, locally determined housing allocations.

Evidence Box 4

Core strategies and land supply

Analysis of 40 of the authorities* that have an adopted core strategy indicates that on aggregate across these regions the core strategies included broadly the same housing figures as the figures in the adopted regional spatial strategy. In fact, 70 per cent of these local authorities had housing numbers equal to or above the equivalent regional spatial strategy figure in their core strategy. Arguably, the local authorities with core strategies numbers above the regional strategy figure could be seen as an indication that these local authorities are 'pro-growth' and as such abolition of regional strategies is unlikely to make a difference.

In terms of the authorities who had yet to adopt a core strategy, 70 per cent (180 local authorities) of those assessed reported land supply in excess of the allocation in the adopted regional strategy, and on aggregate the returns indicate that viable land identified more than covers the regional strategy targets. (A requirement under Planning Policy Statement 3 is that local authorities must identify five years worth of land supply consistent with their local plan and where a local authority cannot demonstrate this, it must consider favourably planning applications for housing.) This could be seen as an indication that the regional strategy process may have had an effect even when a core strategy had not been adopted. On the other hand, this again could be a reflection of 'pro-growth' authorities who are unlikely to react in response to abolition of the regional strategies.

* Limited sample due to data availability

There are concerns that the revising down of housing targets may lead to less housing. However, this assumes there is a strong link between housing targets and housing delivery, which as we have argued is questionable.

¹⁹ <http://www.bshf.org/news-events/news-detail.cfm?lang=00&theNewsItemID=A0D6E646-15C5-F4C0-9972AC59F3BD4E3D>

To the extent that local authorities have, or are planning to, revise down their housing targets this is evidence that they were regarded by local communities as being imposed from above. There is no reason to believe the targets would have been delivered. Indeed they may even have led to less housing by creating opposition to housing growth (see Box 5).

Evidence Box 5

Housing targets and opposition to local housing development

It is possible that by abolishing top-down regional housing targets and promoting greater community consultation and involvement in planning decisions, communities will be more willing to accept new housing because development proposals will more closely reflect communities' preferences. There is evidence to support this in that surveys show that communities are not against development per se but that specific aspects cause concern. For instance, whilst 21 per cent of respondents to a survey opposed new housing supply in their area, this number fell to 8 per cent if the homes were well-designed and in keeping with the local area²⁰. It could therefore be assumed that a higher proportion of applications for housing will be accepted once top down targets are removed and communities are more involved in the plan making process.

Data on major and minor residential planning permissions shows that in the period 1997 to 2003 the proportion of granted applications averaged 74.1 per cent but this fell 9 percentage points to 65.1 per cent from 2004 onwards. This difference partly reflects changes in the housing market and the type of applications coming forward at different points in the cycle, but may also reflect increased opposition to proposed developments from when housing targets were introduced in 2004.

In the short term, housing delivery is likely to be dominated by the existing stock of planning permissions and the sentiments of developers, subject to the state of the housing market.

As an illustration, we have looked at a selection of authorities from the Tetlow King study where it is claimed that targets are being substantially revised down. Most of the local authorities quoted in the Tetlow King research have outstanding planning permissions to deliver at least 3 years of the annual average dwellings built over past three years, therefore a reduction in plan numbers is unlikely to have an impact on short term delivery.

Market conditions. Housing completions are currently 113,670 (2009/10); net additions 128,680 (2009/10 including London); well below regional strategy target numbers. Even if we assume growth of 8 per cent per annum from this year (historic high), then housing delivery will only reach draft regional strategy levels (so-called "option 1" levels) by 2014/15 and final adopted regional strategy levels by 2016/17.

Illustrative housing supply impacts

There is a range of possible impacts. We consider three illustrative scenarios:

- **No impact of RS abolition (central scenario).** Assumptions: the market is the dominant demand-side driver for the majority of the 10-year assessment horizon. Relationship between regional strategy targets and delivery is weak. In some areas regional strategy

²⁰ YouGov (<http://www.communities.gov.uk/documents/507390/nhpau/pdf/16127041.pdf>)

targets created opposition to development, therefore removal of targets may increase development; however on aggregate it is assumed that there will be no impact on supply.

- **Less development following regional strategy abolition (worst case).** Assumptions: the market is the dominant demand-side driver over the 10-year assessment horizon, but supply-side planning constraint bites sooner than in 'central' and 'best' case scenarios. Positive relationship between regional strategy targets and planning decisions. Regional strategy targets come down.

The 'maximum' annual supply impact is estimated using two different approaches which attempt to quantify the impact of regional strategy abolition on planned housing numbers. These reductions in plan numbers are then subtracted off the adopted regional strategy figures to create a new planned housing scenario. This new planned housing scenarios are then compared to a 'market' scenario under which net additions rise gradually from where they are now back to their peak (180k in 2007/08 excluding London) in 2020/21. Only when the new planned housing scenario rises above the market scenario do we assume that there is an impact on supply.

1. Using the Tetlow King and Building and Social Housing Foundation research

- Based on Tetlow King 'official announcements': in the three southern regions and Yorkshire and the Humber planned housing reduces by 99,188 over 20 years. This translates to a maximum of 4,959 units per year which is around 28 per cent of the difference between a final regional strategy and a draft regional spatial strategy so-called "option 1" figures. (The sum of the difference between a draft regional spatial strategy to adopted regional strategies across the three southern regions is 17,507 per year, therefore the 4,959 unit reduction suggested the Tetlow King research amounts to around 28 per cent of this total).
- Based on Building and Social Housing Foundation: in the Midlands up to 62 per cent of local authorities revise their regional strategy figures; of other 'northern' regions up to 52 per cent revise their regional strategy. The Building and Social Housing Foundation research does not suggest the extent to which these authorities revise their housing numbers, therefore we assume the same proportional reduction as the Tetlow King impacts (i.e. 28 per cent of the difference between the draft regional spatial strategy and adopted regional strategy figures). This amounts to a maximum annual supply impact in the Midlands and the North of around 700 units. (This excludes Yorkshire and the Humber which was included in the Tetlow King analysis).
- Comparing these impacts to the 'market' housing supply scenario described above, this results in a reduction in supply of 3,900 units over 10 years, all of which is estimated to occur in year 10. I.e. in years 1 to 9, the market is the dominant driver of housing delivery.

2. Alternative approach - using data from local authorities with and without core strategies

- Local authorities which adopted a core strategy: If the core strategy figure was greater than the adopted regional strategy we assume that the authority is 'pro-growth' and as such regional strategy abolition will have no impact. If an authority has a housing target in its core strategy below that in the *adopted regional strategy* we assume they will revert back to their lower *draft regional strategy*

allocation number²¹. Finally, if the core strategy number was less than even the *draft regional strategy* number, we assume no impact as the authority is likely to have specific local circumstance which may be difficult to predict.

- **Local Authorities without a core strategy:** If the authority's land supply is reported to be above the regional strategy we assume that the authority is 'pro-growth' and RS abolition will have no impact. If the authority's land supply is below the *adopted regional strategy*, we assume the it will reduce to the *draft regional strategy* number²². Finally, if the reported land supply was less than even the *draft regional strategy* number, we assume no impact as the authority is likely to have specific local circumstance which may be difficult to predict. Of course, this estimate comes with the caveat that local authorities land supply figures may not be wholly accurate given that they are self reported and that authorities have an incentive to over report. As such, these estimated supply impacts are likely to be an underestimate.
- Comparing these impacts to the 'market' housing supply scenario described above, this results in a reduction in supply of 2,000 units over 10 years. Again all of which is estimated to occur in year 10. I.e. in years 1 to 9, the market is the dominant driver of housing delivery.

These two potential worst case scenarios are presented in the table below. The impact on plan numbers is presented as a range between 37,000 and 56,650 over 10 years but when these are compared to a 'market' scenario, a reduction in supply of only between 2000 and 3900 over the 10 year assessment period is estimated. Thus indicating that the market is the dominant driver of housing delivery.

Table 2: Worst case supply range

	Approach	Impact on Plan Numbers over 10 years	Reduction in supply over 10 years
Tetlow King	Constructs a new 'planned housing' scenario using Tetlow King research and compares this to a market scenario	-56,650	3,900
Alternative approach	Constructs a new 'planned housing' scenario using data from local authorities with and without core strategies and compares this to a market scenario	-37,000	2,000

²¹ The impact is calculated as adopted regional strategy minus draft regional strategy.

²² The impact is calculated as adopted RS minus draft RS.

- **More development following regional strategy abolition (best case).** More development following regional strategy abolition (best case). Assumptions: the market is the dominant demand-side driver for the majority of the 10-year assessment horizon. Relationship between regional strategy targets and delivery is very weak. In some areas RS targets created opposition to development and as such removal of targets could potentially increase development by increasing the acceptance rate for planning applications. There is currently no evidence to allow us to quantify this behavioural impact on acceptance rates, however we can consider a number of illustrative scenarios

Table 3 illustrates the impact of higher acceptance rates on the number of permitted new dwellings. The table demonstrates that only a small increase in acceptance rates is required to offset the potential negative supply impacts presented in our worst case. Indeed, less than a 0.5% increase in the acceptance rate is required to offset the supply impacts presented above.

Table 3: Required impact in acceptance rate to offset worst case scenario supply impacts

	Increase in % applications granted permission	Increase in supply over 10 years
Increase required to offset impact based on Tetlow research	0.28%	3,900
Increase required to offset impact based on Tetlow research	0.14%	2,000
0.5% increase	0.5%	7,000
1% increase	1%	14,000

It is hard to specify any precision within the range. As we have seen, this depends on the relationship between targets and planning decisions, the behaviour of developers and of local planning authorities. The behaviour of planning authorities is likely to be shaped by wider planning reforms, particularly the New Homes Bonus, which are not captured in this Impact Assessment. This is considered in a separate assessment of the overall package in the forthcoming DCLG paper, *A new approach to housing supply*.

Costs and benefits of each option

Option 1: Do nothing

Costs: Costs incurred would be annual funds released (Financial Year 2010/11, £16m) to cover the operational costs of the leaders' boards.

Benefits: The continuity of statutory regional plans would have been maintained.

Option 2: Abolition of the regional planning tier (preferred option)

Costs: Transitional costs incurred to fund the winding up of leaders' boards covering the first two quarters of Financial Year 2010/11 have amounted to:

Table 4: Transition costs of winding up leaders' boards

Payments	Q1 (£m)	Q2 (£m)
North East	£0.44	£0.39
North West	£0.47	£0.58
Yorkshire and Humber	£0.46	£0.42
East Midlands	£0.47	£0.46
West Midlands	£0.58	£0.47
East of England	£0.47	£0.47
South East	£0.71	£0.71
South West	£0.39	£0.46
Total	£4.00	£3.97

Further costs may be associated with any negative impact on supply as a result of regional strategy abolition. It should be noted that a reduction in supply is not necessarily a bad thing per se. If the reduction in supply is replaced by a lower but better targeted supply of housing (in terms of location and type), this may be more efficient and result in better outcomes.

Benefits: The Government's objective of decentralising decisions on housing and planning will have been delivered. Local planning authorities will be free to work with local communities to plan for sustainable development in their areas without the burden of imposed targets.

The key saving in monetary terms is that the Government will no longer have to fund on an annual open ended basis leaders' boards (Financial Year 2010/11, £16m) to oversee the revision, implementation and monitoring of regional strategies.

There will also be associated administrative savings by the Government Office network, other Government Departments, Planning Inspectorate and local planning authorities by not having to participate in the preparation and revision of regional strategies. There is an additional saving

for local planning authorities who are free to produce local plans without the burden of conforming to a regional strategy.

Indicative administrative costs incurred by participating bodies in financial year 2010/11 in revising regional strategies are:

- £1m(Planning Inspectorate)
- £16m (Leaders' Boards)
- £100,000 (Government Office Network, largely staff related costs)²³.

This will amount to a present value saving to government of approximately £147m over 10 years as a result of these avoided costs.

Non monetised benefits: Along with implementation and monitoring of regional strategies, the Leader's Boards also offered additional strategic services at the regional level beyond the preparation of regional strategies for which local authorities paid an annual subscription. Although some local authorities may choose to continue to pay these subscription fees, there is a potential saving of up to £10m per year if local authorities decide not to pay this subscription.

There will also be cost savings for other organisations who engage with the process of regional strategy preparation and review - local planning authorities, government departments, government agencies, such as the Environment Agency, English Heritage, and others including developers, statutory undertakers and community groups. These cost savings will consist largely of staff costs to prepare submissions and participate in examinations. The extent to which these organisations participated in the examination process will have been dependent on a number of factors reflecting the issues of concern to them. They may therefore have channelled more resources into some regions over others. Participants are invited to attend public examinations and as such involvement may have been limited to the submission of representations in some cases while in others they may have been invited to participate in public examinations. Given the broad scope for participation it is therefore not possible to quantify the savings that will be made by these organisations.

The 10 year net present value of this option, which incorporates the supply impact, the transitional costs and the administrative savings of abolishing regional strategies, are presented in the following table:

Table 5: Net present value of abolishing the regional strategy process

*All estimates are over 10 years	Low	Central	High	
Costs	PV Transitional Cost (£m) (to fund winding up Leader's Boards)	£8	£8	£8
Benefits	PV Administrative savings (£m) (Costs not incurred due to abolition of RSS - £17.1m pa)	£147	£147	£147
NPV (£m)	<£139	£139	> £139	

*PV = present value

²³ This figure is based on information provided to DCLG from Government Offices. It is an average which takes into account the revision cycle of a regional strategy, which would have resulted in 'peaks and troughs' of work for the Government Offices depending where in the revision cycle their regional strategy was.

Monitoring the impacts of abolishing regional strategies

An expected outcome of the Government's policy to decentralise decisions to local authorities, coupled with incentives for communities to embrace housing and economic growth is that the local planning system is likely to be more dynamic with local plans being brought forward more quickly. Data will be available from the Planning Inspectorate on the submission, examination and adoption of development plan documents.

Risks and assumptions

Following the abolition of regional strategies the assumption is that local planning authorities will continue to work together on cross boundary strategic issues where they need to do so (as they have done historically). It is also assumed that they will continue to plan for the economic development and growth that they want and need.

However, there are a number of key risks to address:

1. Without the framework of regional strategies, local planning authorities may not work together effectively on cross boundary/strategic issues.
2. Local planning authorities may delay preparing their local plans to reconsider their policies/gather new evidence following the abolition of regional strategies.
3. Without imposed housing targets local planning authorities and communities may fail to plan for the housing and growth needed in their areas.
4. Local planning authorities may lack the capacity and skills necessary to undertake effective strategic planning.
5. There is a consequential risk to the delivery of sustainable development and economic growth.

It is considered that these risks are mitigated by the following measures:

1. Local planning authorities are required by law to contribute to the achievement of sustainable development which includes social cohesion and inclusion; protection and enhancement of the environment; prudent use of natural resources, and sustainable economic development. They are also required by law to undertake a Sustainability Appraisal of their development plans. National policy (Planning Policy Guidance / Planning Policy Statements) provides the framework for local planning and development management until it is replaced by the National Planning Framework. Combined with existing legislation and policy on the Strategic Environmental Assessment and Sustainability Appraisal of development plans as well as Habitats Regulation Assessment, this will ensure that local plans promote sustainable development.
2. The proposed statutory duty to cooperate (see below) will ensure that local authorities and other public bodies are involved in a continual process of constructive and active engagement which will maximise effective working on development planning in relation to strategic planning issues that cross administrative boundaries and the preparation of local plans. In addition the Government is considering secondary legislation which will offer authorities who want to work together more formally the option of developing joint strategic planning policies with statutory status.

3. The New Homes Bonus scheme which will come into effect in April 2010 will directly reward councils for new homes built. It will enable local authorities and communities to benefit from delivering the housing that they want and need. It is part of wider package of incentives aimed at facilitating and incentivising locally driven development.

Duty to Cooperate

The Government is bringing forward a duty to cooperate in the Localism Bill. 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. The duty will apply to local authorities and other public bodies involved in plan making.

The duty will be a key element of the Government's proposals for strategic working once RS are abolished. Working alongside incentives such as the New Home Bonus and Business Rates, it will act as a strong driver to change the behaviour of local authorities.

The purpose of the duty is to ensure that local authorities and public bodies that are critical to plan making cooperate with each other and that they are involved in constructive and active engagement as part of a continual process of engagement in the planning process. This is to maximise effective working on development planning in relation to strategic issues that cross administrative boundaries and the preparation of development plan documents. The duty will include responding to consultation and providing information when requested on infrastructure and any other matters that may be defined in guidance.

Costs of the Duty to Cooperate

The duty is centred on a continual process of constructive engagement. The bodies affected by the duty already undertake a considerable level of engagement. It is arguable therefore that much of this activity already occurs. However, it is accepted that under the requirements of the duty this activity will increase. While it is not possible to quantify the cost of this additional engagement activity an assessment has been made of the cost of consultation and information provision.

Local planning authorities: are already required to consult 'specific consultees' as part of the process of preparing local development plan documents. This aspect of the duty is not therefore expected to place any additional costs on them. The duty will also require local authorities to respond to consultation from other authorities. And they will be required to cooperate generally in relation to plan making. The vast majority of authorities are already engaging with other each other and for them the costs of responding to consultation would be neutral.

Other public bodies: involved in plan making will also be required to a) respond to consultation and b) respond to requests for information from local authorities.

In terms of responding to consultation, many of these public bodies already engage with local planning authorities. However they are sometimes criticised for doing so late in the process (often at examinations when plans and proposals have already been well developed) rather than at the outset when the evidence they can provide can be crucial for development planning. While there will be costs incurred by these bodies it is considered that this will be offset by a shift in the balance of engagement activity towards the start of the plan preparation/review process rather than at the end.

The provision of information in response to requests from local planning authorities is a new task. However the bodies are being simply asked to provide information they have in their possession. If information is not available they are not required undertake additional work/bring forward their own programmes etc.

The costs associated with responding to requests from local authorities are estimated below.

We assume 20 requests for information from each of the 336 local authorities each time a local plan is reviewed (which we assume to be twice in a 10 year period – in year 1 and year 6). We then assume each request will take half a day to process and assume a wage rate of £15.21²⁴. We then reduce this total by 50 per cent to account for a number of factors – e.g. not all Local Authorities will submit 20 requests (some may work together), a number of requests from neighbouring authorities may not require additional work because the same information provided to another authority can be resent, and finally information may not always be available thus will not result in any extra work. These costs amount to a present value cost of £0.8m over 10 years.

Benefits of the Duty to Cooperate

The duty will ensure ongoing and constructive engagement between the public bodies that are critical to effective plan making and working on strategic issues that cross administrative boundaries. One example will be the availability of information essential for early in the plan making process when evidence is needed to inform options being considered by authorities and communities. This is a more efficient way of working with cost savings for all parties. It also helps to ensure that development proposals are sustainable and based on the best available information.

Summary and preferred option with description of implementation plan

Preferred option: Abolish Regional Strategies.

Implementation plan: The Secretary of State's intention to abolish regional strategies was made clear in the Coalition Government agreement in May²⁵. The abolition of the regional planning tier and introduction of the Duty to Cooperate will be implemented on Royal Assent. The revocation of regional strategies will be commenced by Order.

Specific Impact Tests: Checklists – Further contextual explanation

The intention to abolish regional strategies has been examined by the Department for Communities and Local Government Select Committee Inquiry into the revocation and abolition of regional strategies. There are no plans to systematically collect; analyse and monitor information on the impact of abolishing regional strategies. Following the abolition of regional strategies local authorities will be responsible for developing strategic and local policies working with other authorities as necessary. Local planning authorities are required by law to contribute to the achievement of sustainable development which includes social cohesion and inclusion;

²⁴ The figure £15.21 comes from the ONS Annual Survey of Hours and Earnings and may be more representative of the cost of employing low-skilled admin staff. It uses the bottom decile of wage rates for General Office Assistance and Clerks. It follows the ONS suggested uprate of 1.3 per cent for NI and pensions and 1.8 per cent for overheads. It breaks down into a wage rate of £6.50 per hour, NI/Pensions/Social Security costs etc £1.95, and overheads of £6.76.

²⁵ The Coalition: our programme for government (published May 2010)

<http://programmeforgovernment.hmg.gov.uk/files/2010/05/coalition-programme.pdf>

protection and enhancement of the environment; prudent use of natural resources, and sustainable economic development. They are also required by law to undertake a Sustainability Appraisal of their development plans to consider the inter-relationship between these issues and assess the impacts of different policy options. National planning policy, in the form of planning policy guidance / planning policy statements, will continue to provide the framework for local plan preparation and provide advice regarding policy development, including assessing impacts.

Statutory equality duties

This issue has been addressed by separate equalities impact assessment screenings covering the abolition of regional strategies and the proposed Duty to Cooperate.

Economic Impacts

Competition: None. National planning policy addresses economic impact issues, including town centre hierarchies and sustainable patterns of economic growth and employment. These will continue to inform the preparation of local plans and the development management process. Local Plans will continue to be subject to sustainability appraisal which will assess how sustainable development has been integrated into plans, and the impact of policy options.

Small firms: None. See above.

Environmental impacts

Greenhouse gas assessment: None. Planning policy statements set the national planning policy on these and wider environmental issues. They will guide the development of local plans including policies on carbon emissions. Local Plans will continue to be subject to sustainability appraisal which will assess how sustainable development has been integrated into plans, and the impact of policy options.

Wider environmental issues: None. See above. As well as planning policy guidance / planning policy statements there is guidance on specific environmental issues to guide local plans, for example on flooding and water management issues (River Basin Management Plans) and Shore Line Management Plans.

Social impacts

Health and well-being: None. National planning policy for health and well-being, which underpins the concept of Sustainable Development, is set out in Planning Policy Statement 1 which provides the context for local plans. These are best placed to deliver policies for the health and well being of local communities. Local plans will continue to be subject to sustainability appraisal which will assess how sustainable development has been integrated into plans, and the impact of policy options.

Human rights: None. See equality impact assessment screening.

Justice system: None. Regional strategies did not contain planning policies relating to the operation of the justice system.

Rural proofing: Because of their geographic scale regional strategies were criticised for concentrating on city regions or conurbations at the expense of rural areas and communities. Decentralising decisions on plan making to local planning authorities will help to address this issue because they will be able to deliver local plans that are more sensitive to the localities they cover. Regional strategies also contained policies which set out the need for local / strategic review of Green Belts in broad locations within regions. It was up to relevant local authorities to carry out these reviews of Green Belt (as is still the case now) however it is believed that local authorities were pressured to review Green Belt due to the existence of regional strategy housing targets. It is believed that removing regional strategies will give a greater emphasis to protection of the countryside and Green Belt.

Sustainable development

The preparation of regional strategies was mirrored by the application of the strategic environmental assessment, sustainability appraisal and habitats regulation assessment to ensure that they promoted sustainable patterns of development. The bodies responsible for preparing them were required, under the *Local Democracy Economic Development and Construction Act 2009*, to exercise their functions with the objective of contributing to the achievement of sustainable development.

Local authorities are required, by the *Planning and Compulsory Purchase Act 2004*, to exercise their plan making functions with the objective of contributing to the achievement of sustainable development. The preparation of local plans is subject to the same environmental regulations and policies as regional strategies and must therefore be assessed to ensure that they promote sustainable development.

Annex 1

Post Implementation Review Plan

Basis of the review:

We are not intending to implement a comprehensive Post Implementation Review Plan for the reasons given below.

Review objective:

Local authorities are now responsible for developing plans for sustainable development in conjunction with their communities. Data will be available from the Planning Inspectorate on the submission, examination and adoption of development plan documents and this can be used for monitoring purposes.

Review approach and rationale:

We will not undertake a specific review but data will be available from the Planning Inspectorate on the submission, examination and adoption of development plan documents. This offers an efficient way of obtaining the information.

Over the coming months, further details of any proposed research and analysis will be considered by a Localism Bill review steering group, to ensure that the methods are appropriate, proportionate, and cross-cutting where possible, so that we collect only essential information/data at both the baseline and follow-up review stages.

Baseline:

The baseline is the position at Royal Assent.

Success criteria:

The number of authorities that have adopted core strategies in place. [Note this is a quantitative rather than a qualitative measure, though plans will not be adopted without being sound which is a measure of quality].

Monitoring information arrangements:

Data will be available from Planning Inspectorate on the submission, examination and adoption of development plan documents.

Reasons for not planning a PIR:

The intention to abolish regional strategies delivers a clear Coalition Agreement commitment. There are no plans to set up a Post Implementation Review Plan for this policy. Data will be available from the Planning Inspectorate on the submission, examination and adoption of development plan documents.

Annex 2

Length of time to prepare regional strategies

Length of time taken to prepare the first round of eight regional spatial strategies and programme for future regional strategies revisions on the 1 April 2010.

Region	Position
Yorkshire and Humber	<p>Draft regional spatial strategy – To the Secretary of State 23 December 2005</p> <p>Regional spatial strategy – published 21 May 2008</p> <p>Regional strategy – Project plan agreed by Regional Development Agency and Local Government Yorkshire and Humber – target publication date for new regional strategies was September 2011</p> <p>Note – Gypsy and Travellers policies part of full regional spatial strategy</p>
North West	<p>Draft regional spatial strategy – To the Secretary of State 16 January 2006</p> <p>Regional spatial strategy – published 30 September 2008</p> <p>Regional spatial strategy partial review (parking standards, Gypsy and Travellers, travelling show people) – target publication date December 2010</p> <p>Regional strategy – Project plan agreed by North West Regional Development Agency and 4NW (North West regional leaders board) - target publication date was autumn 2010.</p>
North East	<p>Draft regional spatial strategy – To the Secretary of State 29 June 2005</p> <p>Regional spatial strategy – published 15 July 2008</p> <p>Regional strategy – project plan agreed by ANEC (Association of North East Councils) and Regional Development Agency target publication date January 2012</p> <p>Note – Gypsy and Travellers policies part of full regional spatial strategy.</p>
West Midlands	<p>Draft regional spatial strategy – Phase 1 (sub-regional plan covering the Black Country) to the Secretary of State 31 May 2006 and Phase 2 31 December 2007</p> <p>Regional spatial strategy – West Midlands Phase 1 published 15th January 2008;</p> <p>West Midlands Phase 2 target publication date was July</p>

	<p>2010</p> <p>Regional strategy – work never commenced</p> <p>Note – Gypsy and Travellers policies part of full regional spatial strategy.</p>
<p>East Midlands</p>	<p>Draft regional spatial strategy – to the Secretary of State 28 September 2006</p> <p>Regional spatial strategy – published 12 March 2009</p> <p>Regional spatial strategy – Partial review – target publication date October 2011</p> <p>Regional strategy – partial review became regional strategy in April 2010</p> <p>Note – Gypsy and Travellers policies part of full regional spatial strategy.</p>
<p>East of England</p>	<p>Draft regional spatial strategy – To the Secretary of State 8 December 2004</p> <p>Regional spatial strategy – published 12 May 2008. In May 2009 the High Court ruled that the regional spatial strategies failed to meet Strategic Environmental Assessment Directive requirements in respect of three towns (Hatfield, Hemel Hempstead, Welwyn) and remitted policies relating to development around these three towns</p> <p>Regional spatial strategy – Three partial reviews</p> <p>1. Partial review covering Lakeside out of centre shopping centre was issued by the Secretary of State on 31 December 2009.</p> <p>2. A partial review on Gypsy and Travellers was issued by the Secretary of State on 29 July 2009. Two legal challenges were received from St Albans and Basildon but did not proceed to court because of the revocation of regional strategies by the Secretary of State</p> <p>3. Another review covering housing and economic scenarios through to 2011 reached draft strategy stage in April 2010 when it became a review of the regional strategy target publication date was October 2011</p> <p>Regional strategy – partial reviews (see above) became regional strategies in April 2010.</p>

<p>South West</p>	<p>Draft regional spatial strategy – To the Secretary of State 2 June 2006</p> <p>Regional spatial strategy – Was due to be published in 2009 but Ministers agreed to delay publication in light of the East of England judgement, to undertake Sustainability Appraisal repair work. Publication date was planned for late 2010</p> <p>Regional spatial strategy – Partial review – covering Gypsy and Travellers was incorporated into the full revision of the regional spatial strategy</p> <p>Regional strategy – work would have commenced following resolution of sustainable appraisal repair work to regional strategy.</p>
<p>South east</p>	<p>Draft regional spatial strategy – to the secretary of state 31 march 2006</p> <p>Regional spatial strategy – issued by the secretary of state on 6 may 2009. Six legal challenges received. We were likely to agree remittance of policies in Guildford and oxford, but legal process overtaken by revocation of regional strategy by the Secretary of State on 6 July 2010</p> <p>Regional spatial strategy – two partial reviews</p> <ol style="list-style-type: none"> 1. One covering minerals apportionment was due to be published in July 2010 2. Another covering Gypsy And Travellers was due to be published in December 2010 <p>Regional strategy – partial reviews became reviews of regional strategy on 1 April 2010. In addition the south east partnership board was working up proposals for a full review with a target publication date in autumn 2011.</p>

Annex 3

Opposition to regional strategies

Illustration by region of the scale of regional spatial strategies responses received

Region	Responses
<p>Yorkshire and Humber</p>	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations: 321</p> <p>Comments: 4,000</p> <p><u>Examination in public</u></p> <p>Length of examination in public: 12/09/06 – 27/10/06 (one month, two weeks)</p> <p>Number of participants: 135 organisations and individuals were invited to the examination in public.</p> <p>Topics discussed: seven topics were identified for discussion, the regional spatial strategies core spatial strategy, sub area approach, housing, transport, employment and retail, monitoring and implementation, other minor issues covering – waste, minerals, health, climate change, heritage and flood risk were discussed.</p> <p>Length of examination in public panel report: 349 pages including annexes.</p> <p><u>Proposed changes consultation</u></p> <p>Representations: 201</p> <p>Comments: 2,276</p>
<p>North West</p>	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations: 738</p> <p>Comments: 4,000</p> <p><u>Examination in Public</u></p> <p>Length of Examination in Public: 31/10/06 – 15/02/07 (three months, two weeks).</p> <p>Number of participants: 131 organisations and individuals invited to the examination in public.</p> <p>Topics discussed: The main issues of discussion were the urban hierarchy of the region, the region's sub-regional building blocks,</p>

	<p>housing projections and distribution, fluvial flooding, Green Belt revisions, transport infrastructure and the growth of Manchester Airport.</p> <p>Length of Examination In Public panel report: 375 pages including annexes.</p> <p><u>Proposed changes consultation</u></p> <p>Representations: 149</p> <p>Comments: 1,836</p>
North East	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations: 640</p> <p>Comments: 2,431</p> <p><u>Examination in Public</u></p> <p>Length of Examination In Public: 07/03/06 – 07/04/06 (one month).</p> <p>Number of participants: 98 organisations and individuals were invited to the Examination in Public.</p> <p>Topics discussed: The Panel identified eight topics which produced the most responses and comments and hence were chosen as issues to be discussed at the Examination in Public. The most controversial issues were household projections and associated distribution of housing numbers amongst the region's Local Authorities.</p> <p>The late introduction of evidence at the Examination in Public by a number of Local Authorities about these issues, was the reason why colleagues in Government Office for the North East (GONE) decided on a taking a two stage approach to the consultation on the Proposed Changes.</p> <p>Length of Examination in Public panel report: 332 pages including annexes.</p> <p>Note: The North East had two rounds of consultations on the Secretary of State' Proposed Changes.</p> <p><u>Round 1 (May 2007)</u> <u>Proposed changes consultation</u></p> <p>Representations: 208</p> <p>Comments: 1,700</p> <p><u>Round 2 (February 2008)</u> <u>Proposed changes consultation</u></p> <p>Representations: 130</p>

	<p>Comments: 1,400</p>
<p>West Midlands</p>	<p>The West Midlands has taken a phased approach to the revision of their regional spatial strategy.</p> <p><u>Phase 1</u></p> <p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations: 160</p> <p>Comments: 425</p> <p><u>Examination in Public</u></p> <p>Length of Examination in Public: 09/01/07 – 19/01/07 (two weeks)</p> <p>Number of participants: 43 individuals and organisations were invited to the Examination in Public.</p> <p>Topics discussed: The West Midlands Regional Spatial Strategy Phase (1) covered the Black Country, it developed a sub-regional plan for this area and hence the topics it covered were confined to sub-regional issues such as the future role of Brierley Hill an out of town shopping centre, related housing, transport and economic issues including the impact of development in the Black Country on climate change in the region.</p> <p>The West Midlands Regional Spatial Strategy Phase (1) was drafted so as to inform the creation of a joint local development framework by the local authorities covering the Black Country.</p> <p>Length of Panel Report: 108 pages including</p> <p><u>Proposed changes consultation</u></p> <p>Representations: 51</p> <p>Comments: 129</p> <p><u>Phase 2</u></p> <p><u>Consultation on draft regional spatial strategies</u></p> <p>Representations: 248</p> <p>Comments: 600</p> <p><u>Examination in public</u></p> <p>Length of Examination in Public: Examination in Public opens</p>

	<p>28/04/09 – 26/06/09 (two months)</p> <p>Number of participants: 103 individuals and organisations were invited to the Examination in Public.</p> <p>Topics discussed: Regional housing projections and provision, review of Green Belt, infrastructure, transport, water supply, waste management, hierarchy of urban centres in the region, fluvial and coastal flooding, airports and sea ports, relationship of the West Midlands to Wales.</p> <p>Length of panel report: 343 pages including annexes.</p>
<p>East Midlands</p>	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations: 156 Comments: 1,286</p> <p><u>Examination in Public</u></p> <p>Length of Examination in Public: 22/05/07 – 19/07/07 (two months)</p> <p>Number of participants: 123 individuals and organisations were invited to the Examination in Public.</p> <p>Topics discussed: Household projections and distribution, infrastructure, coastal and fluvial flooding, Lincolnshire coastline, revision of Green Belts particularly around Nottingham, forecasts of population growth in the region, housing affordability and economic development in rural areas and climate change.</p> <p>Length of panel report: 360 pages including annexes.</p> <p><u>Proposed changes consultation</u></p> <p>Representations: 700 Comments: 2,600</p>
<p>East of England</p>	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations and comments: 21,500</p> <p><u>Examination in Public</u></p> <p>Length of Examination in Public: 01/11/05 – 03/03/06 (four months)</p> <p>Number of participants: 113 individuals and organisations were invited to the Examination in Public</p>

	<p>Topics discussed: Regional housing projections and provision, review of Green Belt, infrastructure, transport, water supply, waste management, hierarchy of urban centres in the region, fluvial and coastal flooding, airports and sea ports</p> <p>Length of Panel Report: 360 pages including annexes</p> <p><u>Proposed changes consultation</u></p> <p>Representations and comments: 19,755</p> <p>Most representations consisted of objections (78%) and focussed on just four policies, around which there had been public campaigns:</p> <ul style="list-style-type: none"> • SS7 Green Belt • H1 Regional Housing Provision • HA1 Harlow Key Centre for Development and Change; and • LA1 – 4 London Arc.
<p>South West</p>	<p><u>Consultation on draft regional spatial strategy</u></p> <p>Representations and comments: 23,000 (estimated)</p> <p>Government Office South West due to pressure on personnel did not have the information at hand to disaggregate representations from comments.</p> <p><u>Examination in Public</u></p> <p>Length of Examination in Public: 17/04/07 – 29/06/07 (two months, two weeks)</p> <p>Number of participants: 113 individuals and organisations invited to the Examination in Public.</p> <p>Topics discussed: Household projections and distribution, evidence base, spatial approach of the core strategy, affordable housing development in rural areas, sub regions, coastal policies, infrastructure, transport infrastructure, role of regional centres, fluvial and coastal flooding, revision to Green Belts, retail, conservation of historic built stock and landscapes, agricultural and forestry industries.</p> <p>Length of Examination in Public Panel Report: 423 pages including annexes.</p>

	<p><u>Proposed changes consultation</u> Representations and comments: 35,000</p>
<p>South East</p>	<p><u>Consultation on draft regional spatial strategy</u> Representations: 7,000 Comments: 19,000</p> <p><u>Examination in Public</u> Length of Examination in Public: 28/11/06 – 30/03/07 (three months) Number of participants: 113 individuals and organisations were invited to the Examination in Public.</p> <p>Topic discussed: Household projections and distribution, sub regions, regional hubs, growth points, evidence base, Green Belt revisions, flooding, infrastructure, strategic gaps, climate change and code for sustainable homes</p> <p>Length of Examination in Public Panel Report: 460 pages including annexes</p> <p><u>Proposed changes consultation</u> Representations: 8,300 Comments: 20,000</p>