



Involving businesses in Neighbourhood Development Plans: Resolving Conflicts?

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Agenda

- Localism: some context
- Business-led neighbourhood forums?
- Opportunities for influence
- Conclusions: where will we end up?

A Perspective on the Localism furore

- Expectation amongst communities about Localism:
 - introducing direct control over local decisions
 - abolition of top-down policy-making
- The reality:
 - Localism was always about the economic growth agenda
 - local influence was only ever to be at policy-making level
- Manifestations:
 - various Ministerial statements advancing case for growth
 - draft NPPF: presumption in favour of sustainable development

NDPs in the Bill: A False Dawn

- Bill definition of “NDP” (published December 2010):

*“A ‘neighbourhood development plan’ is a plan which sets out **policies** (howsoever expressed) in relation to the development and use of land”*

- Pre-Budget statement (March 2011):

“[The presumption in favour of sustainable development] is a new powerful principle underpinning the planning system that will help to ensure that the default answer to development and growth is “yes” rather than “no” ...”

- Foreword to the Draft NPPF (published July 2011):

*“So sustainable development is about **positive growth** – making economic, environmental and social progress for this and future generations. The planning system is about making this happen”*

In case there was any doubt ...

- DCLG:

“The first step in preparing a neighbourhood plan is to think about the sort of development that you want to see in your neighbourhood”

“If the local planning authority says that an area needs to grow, then communities cannot use neighbourhood planning to block the building of new homes and businesses”

(“An Introduction to Neighbourhood Planning” - DCLG, October 2011)

“We’ve been had!!”

- Simon Jenkins, National Trust:

“This Localism Bill will sacrifice our countryside to market forces”

“The Government’s ‘sustainable’ new planning policy invites corruption and will sink us in urban sprawl”

“I have read parliamentary Bills all my life, but the localism one is the most wretched capitulation to a single lobby I know”

(The Guardian, 28th July 2011)

The need for business involvement in NDPs

" Giving business owners a voice in neighbourhood planning will allow them to help set the agenda for business growth, rather than being impeded by an overly bureaucratic system"

(David Frost, Director-General, British Chambers of Commerce)

Business-led NDPs?

- NDPs promoted by official neighbourhood forums
- Opportunities for businesses to lead forums?

“Some neighbourhoods will be in areas with high densities of commercial property (such as town centres, trading estates and business parks). Many businesses in such areas may be keen to engage with the new mechanisms, and may even have the ability to provide some financial support. We stress that it is important, therefore, that businesses and land owners have the opportunity to participate in and, where appropriate, lead neighbourhood forums. Such business participation will enable a longer term vision for predominantly commercial neighbourhoods to be developed”

(BPF, Ministerial Briefing on the Localism Bill)

So far so good

- Government-sponsored amendment: businesses can be designated to lead “neighbourhood forum”

- DCLG:

“ The ambitions of local people and their local firms and shops are often one and the same and much needed growth can be achieved quicker by using the expertise and resources of local business people to spearhead the right development swiftly”

(Press release, 17 May 2011)

- Would still have mean reliant on referendum vote

Business-led neighbourhood forums

- Early front-runners:
 - Liverpool Innovation Park
 - Aldershot town centre
 - Central Milton Keynes
 - Team Valley Trading Estate, Gateshead
 - South Bank, London
 - New West End Company, London
 - Bankside, London
 - Trafford Park

Don't get your hopes up ...

- Opposition to the idea:

"It is fundamentally wrong that neighbourhood plans should be led and funded by business. Any reforms must be community-led"

(National Trust comment on the Bill)

- Government proposed amendment, House of Lords:
 - Baroness Hanham, October 2011
 - neighbourhood forum can promote business interests ...
 - ... but that can no longer be the sole purpose

Bill as framed – opportunities for influence (1)

- Neighbourhood forum can still support business needs
- Encouraging other neighbourhood forums to promote business-friendly policies
- Provision of supporting information:
 - technical data from previous applications
 - interpretation of traffic modelling
 - feasibility/cost analysis
- Financial assistance

Bill as framed – opportunities for influence (2)

- Shaping the proposals put forward by others:

*“[consultation must] ... provide residents **and businesses** of the neighbourhood areas, and any other bodies, an opportunity to comment on the proposals”*

(DCLG consultation: “Neighbourhood planning regulations”

October 2011)

Conclusions

- Where will we end up?
 - unlikely businesses will lead neighbourhood forums
 - business interests will not be primary consideration for NDPs
 - critical that neighbourhoods understand: it is about growth
 - cost and lack of sufficient incentives mean unlikely to be popular
 - those that come forward, tangential influence for businesses
 - resolving conflicts? No, at best merely bring them forward



This document provides a general summary only and is not intended to be comprehensive. Specific legal advice should always be sought in relation to the particular facts of a given situation.