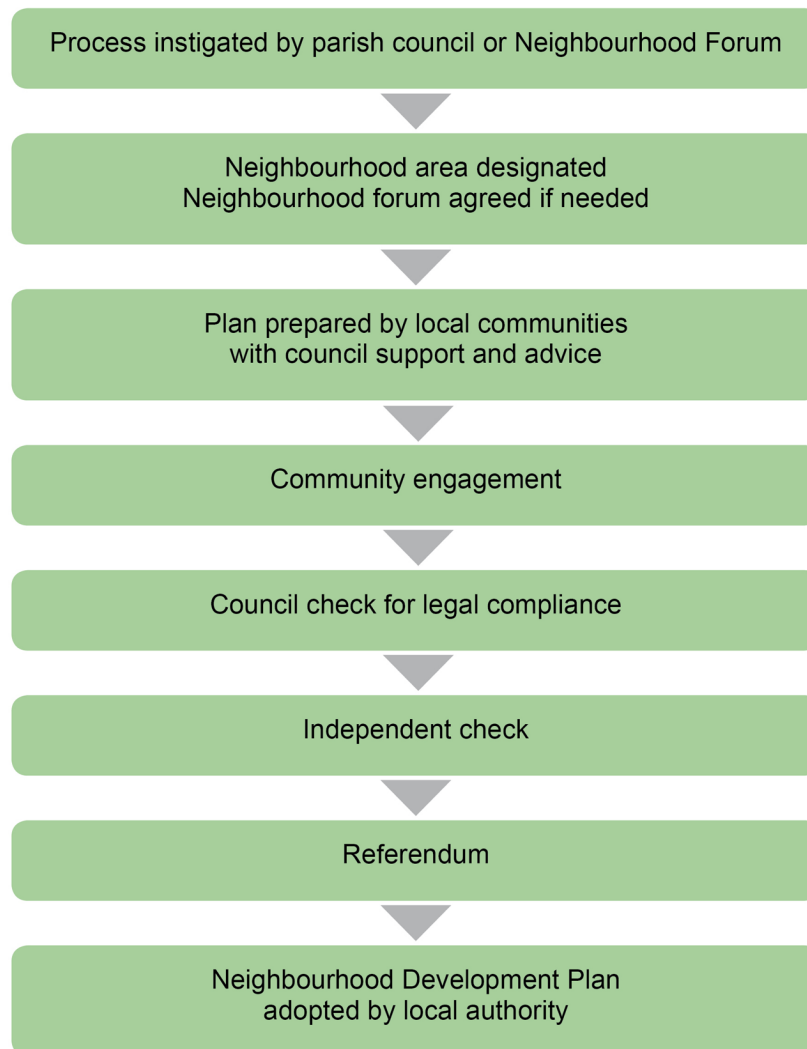


The Localism Bill: new opportunities for community planning

Briefing note by Professor Mike Gibson /September 2011

Process map



Source: Neighbourhood Planning: a guide for ward councillors, Local Government Group, May 2011

Introduction

The Coalition Government is currently preparing new legislation which will fundamentally change the planning system in England in ways which will create major new opportunities for community planning. The **Localism Bill 2010**, published last December, is making its way through parliamentary procedures and is scheduled to become law in November 2011. This legislation is vital to the delivery of the government's **Big Society** agenda which aims to shift power from central

government to the local level. In the foreword to *A plain English Guide to the Localism Bill*, Gregg Clark, Minister of State for Decentralisation says:

'We think that the best means of strengthening society is not for central government to try and seize all the power and responsibility for itself. It is to help people and their locally elected representatives to achieve their own ambitions. This is the essence of the Big Society'

<http://www.communities.gov.uk/documents/localgovernment/pdf/1923416.pdf> (p3)

This decentralisation policy will provide new rights and opportunities for community groups and voluntary organisations to get involved in the running of local public services, enable them to more effectively hold their Local Authority to account through referenda and have much more influence on planning and housing development in their neighbourhoods. The Bill's key proposals will alter the policy landscape of community planning by introducing Neighbourhood Plans as a new tier in the statutory planning system and providing a series of mechanisms to enable communities to implement their plans, together with a requirement on developers to consult local communities before submitting planning applications for major developments.

Neighbourhood Plans

The Government believes that local communities should have genuine opportunities to influence the future of their neighbourhoods. Thus the Bill will introduce a new right for communities to draw up **Neighbourhood Development Plans** and **Neighbourhood Development Orders**.

'Neighbourhood planning will allow communities to come together through a local parish council or neighbourhood forum and say where they think new houses, businesses and shops should go – and what they should look like.'

<http://www.communities.gov.uk/documents/localgovernment/pdf/1923416.pdf> (p11)

A Neighbourhood Plan could be relatively simple or it could go into considerable detail about the future of the community, depending on the nature of local development opportunities and what local people want to see happen. As long as the plan is in line with national planning policy and the local authority's strategic plan local people will be able to vote on it in a referendum. If a majority approve the plan the local authority will be obliged to bring it into force as the main tool for guiding local development. The Neighbourhood Plan may include a Neighbourhood Development

Order which will give the community the right to grant planning permission for development proposals which are in line with their approved plan.

The Localism Bill also provides mechanisms which will enable communities to play a significant part in the **implementation** of their plans. As part of the new neighbourhood planning system the Bill establishes the **Community Right to Build**. This creates opportunities for local people to take the initiative by implementing some of the key elements of their plan. A community organization will be able to bring forward development proposals for new homes, playgrounds, meeting halls, businesses or shops. As long as the proposals meet certain criteria and are approved in a referendum, they will not need a traditional planning application to be approved.

The Bill provides communities and local authorities with a range of incentives to support and/or bring forward development. The **New Homes Bonus** will provide cash to local areas for each house built. The Government will match the council tax raised from new homes for the first six years. Councils and communities will work together to decide how to spend this extra funding. The Bonus could be used for council tax discounts for local residents, boosting local services such as rubbish collection, or providing/retaining local facilities such as swimming pools or leisure centres.

In parallel, the **Community Right to Reclaim** is being introduced as a tool to encourage neighbourhood regeneration. This will give people the right of access to information about public sector owned disused land and buildings in their neighbourhood which could be developed for new homes, businesses and leisure facilities. Communities will be able to request that such land and buildings be sold for development. Moreover the Localism Bill introduces the **Community Right to Buy (assets of Community Value)**. These assets might include meeting rooms, swimming pools, village shops, markets or pubs which, if closed or sold into private use, can be a damaging community loss. Local authorities will be required to maintain a public register of assets of community value. Communities will be able to propose assets which they value for inclusion on the list. If and when such assets come up for sale, community groups will be given time to develop bids and raise finance before they come on the open market.

The **Community Infrastructure Levy** allows Local Authorities to set charges which developers must pay when they bring forward new development. These charges are to contribute to the provision of new or enhanced services or infrastructure needed for the new development. The

Localism Bill makes provision for a 'meaningful proportion' of these funds to be passed to the neighbourhoods where the development has taken place.

The Bill also introduces a **requirement to consult communities before submitting very large planning applications**. This is designed to further strengthen the role of local communities in planning by giving local people a chance to comment when there is still genuine scope to make changes to proposals.

The government recognizes that communities will need support for preparing and implementing their plans and engaging more widely in the planning process. Thus Local Authorities will be required to provide **technical advice and support to Parish Councils and Neighbourhood Forums**. In addition the government will fund the provision of independent technical support to local communities and has already launched a free service *Supporting Communities and Neighbourhoods in Planning*.

Further information

Your Place, Your Plan

A community guide to planning, TCPA, Town & Country Planning Association, 2011
A handy short introduction to neighbourhood planning with useful sources of information.
Downloadable free from www.tcpa.org.uk

Neighbourhood planning group on LinkedIn
Lively group with over 700 members, mostly practitioners.
www.linkedin.com

Neighbourhood Planning Toolkits & Guidance

tinyurl.com/3wncnyf

Listing of resources on neighbourhood planning compiled by the UK's Design Council based on information collected by a LinkedIn group.

CLG Pre-application consultation with communities: a basic guide – February 2011
<http://www.communities.gov.uk/publications/planningandbuilding/preapplicationguide>

The Planning Advisory Service (PAS)

<http://www.pas.gov.uk/pas/core/page.do?pagelid=102561>

A government funded agency which provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform. One of its key roles is to help local authorities deliver strong and strategic planning for neighbourhoods and local areas. Its website is one of the most useful sources of information about the development of neighbourhood planning in the context of the impact of the Localism Agenda on the work of local government. The following links are particularly useful:

<http://www.pas.gov.uk/pas/core/page.do?pagelid=1089058>

This is the key page for the Planning Advisory Service work on Neighbourhood Plans

[Neighbourhood planning on a map](#)

This page shows a map with all areas undertaking neighbourhood planning.

[Neighbourhood planning in Bookham, Mole Valley](#)

This case study shares how Mole Valley is approaching a Bookham Village neighbourhood development plan.

[Neighbourhood planning: frequently asked questions](#)

The Department for Communities and Local Government answer the frequently asked questions from the PAS event series on neighbourhood planning.

[Neighbourhood planning: a guide for ward councillors](#)

This guide is to help ward councillors understand the basics of neighbourhood planning and to help them think about what this means for the community and their role.

[Five actions for neighbourhood planning](#)

This page sets out five actions that local planning authorities can take now to get ready for neighbourhood planning

[Neighbourhood Planning - course materials](#)

Presentation slides are now available from the PAS series of events on neighbourhood planning held in January and February 2011.

[Neighbourhood planning: early practice](#)

This page focuses on some early practice within local authorities. It is based on PAS discussions with officers from the neighbourhood planning first and second waves of front runner councils held in July 2011.