

# Consultation relating to the Local Government Plan Rationalisation

Response by  
Friends of the Earth Cymru

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## **Friends of the Earth Cymru**

Friends of the Earth Cymru inspires solutions to environmental problems which make life better for people.

Friends of the Earth Cymru:

- is the Welsh branch of the UK's most influential national environmental campaigning organisation
- is part of the most extensive environmental network in the world, with around one million supporters across five continents and more than 70 national organisations worldwide
- supports a unique network of campaigning local groups, working in more than 2000 communities throughout England, Wales and Northern Ireland
- is dependent on individuals for over 90 per cent of its income.

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## Introduction

Friends of the Earth Cymru believes the planning system is a vital way of delivering sustainable development by ensuring that the highest quality development is built in the right locations without compromising environmental limits. Friends of the Earth Cymru is committed to a planning system which is fair, open and accountable for all participants.

Carwyn Jones, Minister for Environment Planning and Countryside outlined his commitment to sustainable development in the planning system in a cabinet written statement<sup>1</sup> in November 2004 saying that he wanted to:

“Ensure that **sustainable development is integral** to Local Development Plan preparation and development control;”

## Sustainable development

The National Assembly for Wales has a binding legal duty to pursue sustainable development in all it does through section 121 of the Government of Wales Act. This duty should be reflected in the requirements the Welsh Assembly Government places upon local authorities in the preparation of local plans and strategies.

The requirements should also reference section 39 of the Planning and Compulsory Purchase Act - the duty to promote sustainable development. Those drawing up strategies and plans should have their attention drawn to the legal force of this requirement.

The imperative to deliver sustainable development should be reflected in a clear and coherent policy cascade which begins with the overarching principles contained within the UK Sustainable Development Strategy. The new Strategy, published in March 2005, requires the careful reconsideration of existing policy both because of changes to substantive sustainable development policy principles and because of the renewed emphasis on the need to integrate these principles.

This requires substantial change to the way that policy is drawn up and subsequent decisions are made. In particular the traditional notion of crude trade offs between economic growth and environmental quality should no longer be acceptable. The strategy also requires that sustainable development be applied across all areas of decision making and all delivery agencies. The current debate about the framework of appropriate strategies would be greatly assisted by a transparent route map illustrating how the principles of the UK strategy are reflected in the hierarchy of statutory and non statutory plans. We look forward to how the Sustainable Development Action Plan 2004-2007 will be modified to reflect the changes in the UK strategy.

Sustainable development is a term that is more often than not misused. A robust definition of sustainable development would allow for policies within the planning framework to be proofed as part of the planning process. Equally, community involvement schemes should allow for capacity building for sustainable development at local level.

Friends of the Earth Cymru believes that the structure proposed by the local government plan rationalisation will not deliver sustainable development as it stands. The present proposals outlined in the consultation do not include sufficient means to ensure that the remaining plans and strategies will have reference to a consistent set of sustainable development principles and targets.

Friends of the Earth Cymru believes that the planning framework is there to meet local needs within environmental limits - now and in the future. At the same time, it needs to address the fact that it is the people with least power and money who are worst hit when the

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<sup>1</sup> Cabinet Written Statement: Planning Delivering for Wales, Carwyn Jones, Minister for Environment, Planning and Countryside, 23 November 2004.

environment is damaged, and it is the same people who are not getting their fair share of the benefits.

### **The community strategy**

Friends of the Earth Cymru agree that it is essential for the Welsh Assembly Government to “require greater and more explicit coverage of the implementation of sustainable development within the community strategy directly”. The Wales Spatial Plan and the community strategy integration should be a two-way process, especially as local choices must not be undermined or dismissed.

If the community strategy in Wales is to function as the means of implementing sustainable development appropriately at local level, then the format of the community strategy as it stands needs to be revised. It would need to have regard to the UK sustainable development strategy, and the Wales sustainable development action plan and scheme. Planning Policy Wales’s sound principles of sustainable development should also be given more attention by the community strategy. There needs to be clarity about the role of the community strategies in delivering sustainable development. Regard must also be had to the role of the SEA directive and its influence in shaping elements of the proposed planning framework.

In addition the community strategy would need to have sufficient influence over the proposed health, social care and wellbeing strategy, the children and young people’s plan and the local development plan, in order to play its part in cascading national sustainable development principles down to local level. This could be done in requiring the other plans and strategies to reflect the priorities and sustainable development principles enshrined in the community strategy.

As it stands, the proposed strategic planning framework will not give sufficient prominence to issues of sustainability and environmental impact if the community strategy is not made more robust. This need is illustrated by the current crop of community strategies in Wales, which include several examples of unsustainable and contradictory action plans, despite the guidance issued by the Welsh Assembly Government.

In addition, further guidance on how the local development plan interacts with the community strategy needs to be forthcoming. Currently the guidance on community strategies (2001) makes no reference to local development plans, and whether the vision or action plan of the community strategy is binding upon the local development plan. New requirements could ensure that the community strategy sustainable development principles act as a check upon unsustainable policies within the local development plan. The integration of the community strategy action plan with the local development plan is also a process that needs to be transparent.

As the Local Government Act 2000 requires community strategies to set out priorities for promoting or improving the environmental well-being of the areas they cover, this needs to be about more than clean streets. A concern is that this power of ‘well-being’ conferred by the Local Government Act 2000, by allowing local governments to choose two of the social, economic or environmental well-being, will result in the first two being addressed without recognising that environmental well-being is the foundation for sustainable development.

### **Environment strategy**

There would be no need for a local environment strategy if the overarching community strategy and the local development plan adhered to the principles of sustainable development. However the concern is that sustainable development is poorly understood, and is often used incorrectly to term developments or policies that are inherently or cumulatively unsustainable with regard to the environment.

An environment strategy would need to be in place if objectives and targets for sustainable development, including those for environmental quality, are not required equally across local planning authorities. The national environment strategy sets out outcomes (which need to be targets to be effective) on issues from water and air to waste and construction. Either the policy agreements with the Assembly, or a minimum set of targets based on these and adapted to local level, or a more comprehensive community strategy which has to reflect the national environment strategy or a local environment strategy needs to be in place to address environmental challenges. These need to be across the board and based on sound shared sustainable development principles.

### **Consistent planning**

Local distinctiveness is a central element of local planning processes. However, as the development of community strategies in Wales has shown, allowing each local authority to develop its own strategy has resulted in the delivery of very poor strategies. Failing local authorities will not improve without minimum standards, while successful local authorities will not be held back by them. It is necessary to ensure that the plan rationalisation process works from a basic “floor” of sustainable development. Installing this “floor” will allow local authorities to improve, and for excellent local planning authorities to innovate.

Participation through the community involvement scheme has a central role to play in local distinctiveness and application of sustainable development principles. Consistency for participants in the process needs to be ensured. For instance, allowing people to be heard at committee meetings is something that can be standard across authorities, while the method of involving people in visioning could be chosen locally.

### **Accountability and participation**

As a community strategy is a non statutory plan (although the requirement to prepare it is statutory), it needs to be given greater ‘bite’ within the planning framework.

Participation in the entire planning framework from the community strategy to the local development plan should be covered by the community involvement scheme. The community involvement scheme should be a single coherent statement of engagement standards throughout the local planning system. This will harmonise participation structures and enable people to engage in one system rather than several different conflicting ones.

Any partnership-based arrangements should be open to scrutiny, have structures which ensure accountability, and be transparent in their workings. With the sharp reduction in published plans and stated actions, local authorities’ plans and actions may also be much more difficult to scrutinise, and it may be much more difficult to get involved. The Welsh Assembly Government needs to strengthen the requirements for the community involvement scheme to ensure transparency, accountability and clarity over the entire local planning framework.

Friends of the Earth Cymru believes that the Welsh Assembly Government should require local authorities to deliver a minimum set of obligations in planning structures, processes for participation, and for holding the authority to account to the people it serves.

A set of obligations for local authorities could be:

- Report publicly on the targets and visions for sustainable development set out in the retained high-level strategies, and in the authority’s policy agreement;
- Communicate visions and objectives locally, and invite input;
- State partnership agreements and commitments publicly;

- Stating the way in which community groups and stakeholders will be involved in the delivery of services as an extension of the Community Involvement Scheme.

Friends of the Earth Cymru strongly supports the Welsh Assembly Government requirement for full engagement in the planning and monitoring processes by scrutiny committees, partner organisations and citizens, and accountability to each of them. The method of engagement should be set out in the local authorities' community involvement schemes.

The Welsh Assembly Government could also appoint regulators and inspectors specifically for sustainable development, in monitoring delivery and identifying the need for improvement or corrective action within the planning framework. The SEA directive, and early cross-sector involvement, would have a role to play alongside the regulators.

### **Performance measurement**

The focus that the Welsh Assembly Government is proposing on delivering outcomes rather than processes must not sidestep or weaken essential participation in planning and the delivery of sustainable development. Business and operational plans for areas of complexity, vulnerability and high risk – as suggested – would need to address environmental challenges first. Those most in need of support are often in proximity to the areas of lowest environmental quality.

The performance measurement framework must be based on qualitative and quantitative sustainable development criteria. Participation processes must be included in performance measurement, and these are best measured with qualitative criteria.

Policy agreements, regulation and inspection reports, and grant conditions, must all be explicitly used to further sustainable development, and be transparent processes with full opportunities for involvement and accountability.

For the Welsh Assembly Government to achieve its objectives of delivering sustainable development it needs to ensure that legitimate objectives are recognised and acted upon at local level. The Environment Strategy covers a very comprehensive range of 'outcomes'. Translating these into targets is necessary for achievement. Objectives and targets with regard to such essentials as biodiversity, air quality, participation, carbon dioxide emissions, with both global and intergenerational effects, cannot be optional at local level. The work that the Assembly has already done on environmental footprinting demonstrates a way forward in performance measurement for local planning authorities.

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