



“Localism in London - The way forward - what next?”

Response to The Planning Committee

Written Evidence submitted by Locality

January 2015

About Locality

Locality is the leading nationwide network of settlements, development trusts, social action centres and community enterprises. We help people to set up locally owned and led organisations. We support existing organisations to work effectively through peer-to-peer exchange of knowledge and best practice on community asset ownership, community enterprise, collaboration, commissioning support, social action, community voice, community rights and regeneration.

Locality is the lead partner in the DCLG-funded *Supporting Communities in Neighbourhood Planning* programme. Locality have been involved in Neighbourhood Planning since 2001, and to date

- 1200 Neighbourhood Plans are being developed
- 5.2 million people live in areas covered by made or developing Neighbourhood Plans.
- £4.2 million in grants awarded (plus £500,000 of new bridging grants)

Locality and our partners are running the **Community Rights support service**. We provide information, guidance and free one-to-one expert advice. The evidence in this submission draws on our experience of the advice service which has handled nearly 14,000 enquires since launch and our own experience of developing community owned assets and services.

Neighbourhood planning in London - Why is interest so limited?

Are the requirements for designating neighbourhoods, in terms of boundaries, membership and competing interests, simply unworkable in London?

It is still relatively early days for neighbourhood planning in London, however, there are clear signs of growing interest and involvement in neighbourhood planning. Several recent neighbourhood planning events have attracted large numbers of attendees and Locality is receiving an increasing number of applications from groups in London. There are approximately twenty-nine designated Neighbourhood Forums in London. We also estimate there are approximately one hundred Neighbourhood Forums in development.

The first wave of Neighbourhood Forums in England are now at the stage when plans are being implemented. This is a key development in helping to build momentum as they will be able to clearly demonstrate the benefits of a neighbourhood plan and will enable us to share experiences and expertise across communities.

The requirements for designating neighbourhoods, in terms of boundaries, membership and competing interests do not make neighbourhood planning unworkable in London. Whilst the issues in London are exacerbated, (cross ward, competing plans, defining the neighbourhood, pre-existing planning applications, rapidly increasing land values) they are the same as for any other major city. However, it is important to recognise that a number of issues make producing a neighbourhood plan more complex in cities including high growth, transient population, capacity of the group, large populations, crossing boundaries. In London neighbourhood planning groups also have the added complications of another tier of planning legislation - the London Plan.

How can we overcome the barriers to getting a forum recognised?

Locality would recommend:

- Improving the guidance to Local Authorities on their legal duty to support communities making their neighbourhood plan to ensure effective support is provided.
- That neighbourhood planning is properly resourced on an on-going basis, ensuring that local communities have access to training, professional support and grants, where they need it. There should be targeted support for groups which face additional barriers to developing neighbourhood plans. We therefore welcome the Department for Communities and Local Governments new approach to supporting neighbourhood planning which includes more targeted support.
- It would be beneficial to invest in training and development to establish a supply of high quality Neighbourhood Planning Advisors who can combine understanding of the planning system with understanding of community development and empowerment.
- Local authorities should avoid excessive detail in local plans, allowing maximum scope for decisions to be taken through the neighbourhood planning process. This could be encouraged through Government guidance.
- Training on neighbourhood planning should be provided for local authority officers and elected members.
- Regeneration programmes and initiatives should be more closely linked to and integrated with neighbourhood planning.

Appendix 1

- Compulsion is required for local planning authorities to make timely decisions at various stages of the neighbourhood planning process.

Why is interest so concentrated?

Do affluent communities with access to professional expertise to drive the formation of neighbourhood forums have an advantage over those with less capacity or history of community organisation?

Locality has identified some of the barriers to neighbourhood planning occurring in deprived communities including:

Transient population: Deprived areas characteristically have more transient populations. This introduces challenges in engaging residents that are unlikely to be living there in the longer term.

Lack of 'ownership': The population of deprived area typically likely to have a lower percentage of owner-occupied housing. Experience of neighbourhood planning suggests that the initial motivation for many people to get involved with neighbourhood planning is concern on how development might affect their property.

Cultural/Ethnic diversity: Residents from different cultural and ethnic backgrounds sometimes hold different views on planning and land ownership.

Capacity and expertise: Less deprived areas have higher-level skills including retired professionals able to commit both time and expertise. Deprived areas usually have less capacity, with people unwilling or unable to commit the time and effort the

Cost and funding: Neighbourhood planning process requires. The cost of writing a neighbourhood plan is also seen as a barrier in deprived areas. Small Parish and Town councils and neighbourhood forums can also find it difficult to raise funding.

Neighbourhood forums: Neighbourhood plans in deprived areas tend to be prepared by neighbourhood forums rather than Town or Parish councils. Neighbourhood forums do not have the advantage of an existing decision-making structure, as parish councils do. The process of setting up a neighbourhood forum is challenging, both in terms of identifying forum members and in identifying a neighbourhood area that people can identify with.

Local Authority support: Local Authority support is an important component in successful neighbourhood planning, but such support is inconsistent. This may be due to a lack of political support, or a lack of understanding of the process by both councillors and officers. Many local authorities lack the capacity and resources to provide meaningful support.

The plan v delivery: A neighbourhood plan is a planning policy document. There is often little appetite to put resources into policy-making where little development is taking place. Deprived communities may prioritise projects to directly deliver regeneration or community and environmental benefits.

Locality have also identified an initial difference in the speed at which Parishes and Town Councils, which are often in more affluent areas, have moved to adopt neighbourhood planning. In our experience Parishes and Town Councils, are able to move more quickly in part due to having an established infrastructure in place to inform them about the legislation and explain how it may affect them. In addition they are the recognised body to take the process forward, so they need to make a decision to proceed or not. Neighbourhood forums are not in this position and therefore, whilst individuals may be interested there is no established infrastructure for

Appendix 1

them to speedily proceed (i.e. no office set up, no established ‘authority to act’) which will hinder progress. In some areas there has been the additional issue of competing community groups that we don’t see with Parishes and Town Councils. However, once a neighbourhood planning group is formed, they are often composed of people with a very active interest in their local communities and a strong understanding of the issues.

Why is progress so slow?

To what extent are financial considerations and the budget pressures on local authorities slowing down the progress of neighbourhood planning in London?

Local Authorities have a legal duty to support groups however the duty is not specific enough and has led to inconsistent levels of support.

Capacity and budget pressure are an issue especially in authorities with small teams who are also involved in other major planning activities e.g. adopted a local plan, which means that neighbourhood plans are not prioritised.

In our experience delays to neighbourhood planning process are often not deliberate, but initially were often as a result of a new form of planning with Local Authority officers having no experience of the process. There are now examples of best practice and clear processes for designation are now being put in place which should make it easier for both the neighbourhood planning forums and Local Authorities.

Where Local Planning Authorities have adopted a very bureaucratic responses to the process, for example only designating neighbourhood areas twice a year, in our experience this has slowed down the progress of plans more than financial constraints.

Is enough support being given?

Would greater promotion for neighbourhood planning in London’s opportunity areas both further the aims of localism and regeneration and boost a sense of legitimacy and support in these areas?

Yes, please also see our recommendations for overcoming barriers above.

Assets of Community Value in London

Are boroughs interpreting the legislation consistently in London?

Why are there so few listed assets in some boroughs?

As at January 2014, 201 nominations have been made in London boroughs - 147 (73%) have been successful, 54 (27%) have been unsuccessful. Given that there are at least 1,500 listed assets in England currently, this means that London accounts for fewer than 10% of the total listed nationally, which is a disproportionately low number. Given that there must be tens of thousands of ‘community assets’ in London (best estimates show that there are at least 7,000 pubs alone in capital) there is real scope for the Right to Bid to have a greater impact in London.

It is still relatively early days for the Right and London borough councils are not unusual amongst local authorities in reacting slowly to the need to allocate internal resources and establish procedures to handle inbound applications. However, after looking in detail at the websites of all 33 London boroughs, as at 7/1/14 there still appears to be a wide variety of approaches that may partially explain the low take up to date:

Appendix 1

- We could not find any mention of the Right on the websites of two London boroughs - Havering and Hillingdon. They have a population of nearly half a million people combined;
- We could not find a list of nominated assets in seven London boroughs - City, Croydon, Havering, Hillingdon, Newham, Sutton and Westminster. In some cases this is because no assets have been nominated, but in the cases of Newham, Sutton and Westminster the existence of a list is simply not referred to, so it is impossible to speculate further. This is an unhelpful lack of transparency and a clear disincentive for anyone who cares to find out more about the status of the Right locally;
- Even when London boroughs provide easy routes to relevant information, it is not presented in a user-friendly or accessible way. Many London boroughs have simply copied and pasted large tracts of the legislation verbatim, with minimal effort to translate into engaging language or even Plain English;

None of the London borough websites appear to promote the Right as a positive opportunity for local communities to grasp. The Right is afforded a low profile at best, and at worst is located in the margins of London boroughs' priorities.

There would also seem to be an untapped opportunity to link early stage neighbourhood planning activity to the Right, as site-specific concerns involving local assets could be naturally captured within the neighbourhood planning process.

In terms of awareness raising, Locality would welcome the opportunity to input into a pro-active and co-ordinated campaign, with the aim to increase the understanding of the Right locally and inspire to people to recognise their local community assets through the pre-emptive process of nomination.

Are boroughs interpreting the legislation consistently?

In terms of whether London boroughs are interpreting the legislation consistently, there is not enough information in the public domain to make a firm judgement. However, the majority of nominations (73%) have been successful. This is a reasonable indicator that London boroughs are taking a balanced and proportionate approach towards designation in the spirit of the Act. However, there are some noteworthy exceptions.

Barnet, Hackney, Tower Hamlets and Waltham Forest all ask for 'extra' information in support of nominations that is, arguably, not necessary, e.g. evidence of continuing social benefit and the ability of the nominator to purchase the asset. These are detailed questions that are not called for at the point of nomination, which is meant to be quick and straightforward. Future viability cannot be reasonably ascertained without a thorough investigation. And this is only necessary *if* the asset is subsequently disposed of by the owner in the future.

Further, Enfield also employs complicated weighted assessment criteria in order to 'score' nominations against the borough's corporate plan priorities. This is another (unnecessary) barrier to what should be an undemanding exercise that does not require any significant groundwork. Moreover, by including additional local standards, an element of seemingly random variation is introduced.

Can assets of London-wide importance be covered by the guidance?

- *Given London's city wide communities, is the legislation supportive of recognising assets on the basis of communities of interest rather than communities of locality?*

Appendix 1

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The legislation is written in plain language in terms of what constitutes an Asset Community Value, that is its current (or recent past) use furthers social well-being/social interests. There is considerable latitude for local authority interpretation. Therefore, in theory at least, there is no substantive reason why assets of London-wide importance could not be covered by the guidance. Indeed, it is likely that they would legitimately enjoy both London-wide *and* local support given the dense population. The South Bank Undercroft is undoubtedly of London-wide cultural significance, and it also enables local recreational activity to take place. Therefore, we do not see any significant impediment to the recognition of assets by communities of interest rather than communities of locality.

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