

Recent press comments in the wake of the Planning Green Paper and the DPM's Statement

By Alan Gray

County Councils object to the abolition of structure plans. Well, County what? Structure who? The barristers and consultants object to the demise of local plan inquiries and the loss of democratic rights—and of whacking great fees.

Planners get vilified by politicians and earn a pittance, yet they are loyal and caring. One of the things they could do to help themselves is to understand more about the economics and procurement of development. This should become part of mainstream planning courses. The ability to bridge the professions is important and at the moment, surveyors do it better than planners.

Planning is quids in. After months of concerted campaigning from a wide variety of organisations, the Government has agreed to pump more resources into the planning system.

You, them and us

Who are *you*? Who are *they*? And who are *we*?

You represent a cross-section of the finest planning practitioners in the public and private sectors, drawn from a wide cross-section of the landed professions. *They* are the less enlightened barristers, lawyers, surveyors and planners who are not fortunate enough to be here today. *We*, in the Office of the Deputy Prime Minister, are the humble servants who help to develop planning policy.

Here is another, perhaps better, definition.

You are almost exclusively barristers, lawyers and surveyors, although there are a smattering of planners amongst you. And *you* are, for the most part, employed in the private sector. *They*, on the other hand, are in the public sector, mainly in local government and mainly planners. And *we*, by far and away the smallest group represented today, are the professionals and administrators in ODPM with responsibility for advising Ministers and developing Government planning policy.

The planning “players” can be defined in many different ways. But the key message is that we all have a part to play in rejuvenating the planning system—all of us as fellow professionals who carry professional standards in our briefcases. And to achieve that we need to engage with changing the culture of planning.

I was asked to produce a paper which addressed the recent Planning Green Paper and the implementation of its reforms. As a serving civil servant it is not for me to proselytise, praise policy or defend dogma. Rather, my task is to act as a native guide on the foothills of reform; to point an important professional audience to the high peaks of the emerging planning agenda which will closely touch all our professional lives; and stimulate a healthy dialogue about the best means of implementing reform. I am a civil servant; I am also a human being, a solicitor's son, a surveyor and a planner. So I do have professional perspectives which I can call upon to inform the dialogue, but any personal views expressed are my own and should not be regarded as having any policy significance.

This paper does not aspire to be a thesis; it aims to be factual, informative and occasionally, mildly provocative. It reminds us about the criticisms of planning which found their way into the Planning Green Paper and some fairly typical responses to it. There follow relatively detailed selections from the

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Deputy Prime Minister's Statement about planning reforms with a few comments and questions as to how *we*, namely *you*, *them* and *us* can make a reformed system work; and work better than it does at present.

Planning as we know and love it

What is the culture of planning today?

On December 12, 2001 the Department of Transport, Local Government and the Regions published the long-awaited and much-heralded Planning Green Paper. The planning system was described as falling short of what was required. Specifically it was criticised in terms of:

- complexity;
- speed and predictability;
- community engagement;
- customer focus and standards of service;
- enforcement.

Complexity

Planning is complex, remote, hard to understand and difficult to access. Issues commonly raised include:

- multi-layered structure of plans with up to four tiers in some areas—at national, regional, county and local levels; plans are often out of date and can be inconsistent with one another and with national planning guidance;
- national planning guidance is long-winded and often unfocused; it mixes key planning policy principles with good practice advice;
- rules applying to different types of development are often unclear; some developments do not need express consent while others do; and
- planning appeal procedure can seem obscure; people find it hard to understand the way in which the system works; both applicants and others with an interest in a proposed development can find it hard to understand the basis on which decisions are taken.

Speed and predictability

The planning process is often perceived as a set of rules aimed at preventing “bad” development rather than facilitating “good” development. Communities frequently feel detached from the process and suffer from planning blight. Business finds planning delays frustrating and potentially damaging to competitiveness. Problems include:

- speed of decision-making is slow and variable between local authorities; over 90 per cent of councils fail to meet the target that 80 per cent of planning applications should, on average, be decided within eight weeks;
- lack of predictability; the outcome of applications is frequently uncertain because there is insufficient clarity around the criteria against which an application will be judged; it is uncertain whether and why an application will be called-in for determination by the Secretary of State or an appeal recovered; the time it takes to deliver a decision is uncertain;
- the process of up-dating plans is expensive and takes several years; it is increasingly being regarded by local authorities as unaffordable; although the current plan-led system was put into place in legislation enacted in 1991, 13 per cent of local authorities have still to put their first plan in place and 214 current plans are now out of date; and

- speed of dealing with appeals and called-in applications; last year, 80 per cent of appeals dealt with in writing were decided within 17 weeks, 21 weeks where there was a hearing and 31 weeks for a public inquiry; central Government only manages to deal with three-quarters of call-in cases within our own 20-week deadline.

Community engagement

The current system is very consultative but too often fails to engage communities, with the result that communities feel disempowered:

- procedures leading to the adoption of a plan can be so protracted that few community organisations or businesses with an interest can afford to sustain their involvement; there is a perception that the system favours those with the deepest pockets and the greatest stamina;
- planning committees can make decisions on planning applications without the applicants or significant objectors having an opportunity to present their case; and
- some planning procedures are legalistic and effective participation tends to demand specialist knowledge; people who are inexpert in the workings of the system find this difficult and sometimes community organisations find it hard to present their case without access to professional advice.

Customer focus and standards of service

Planning is not customer focused and local planning departments are overstretched:

- people find it hard to obtain straightforward advice about how to submit a planning application; once submitted, applicants are unable to access information about the progress of their application; E-business is poorly developed;
- user-friendly information about planning is not always readily accessible; local planning departments are frequently so burdened with householder applications that they are unable to give more complex commercial and industrial applications the detailed attention they require; and
- there are serious skill and resource shortages in most planning departments; elected members serving on planning committees are often insufficiently well trained to undertake their important duties.

Enforcement

Effective action needs to be taken against those who try wilfully to avoid planning controls. Without effective enforcement, confidence in the system is undermined. Unfortunately, where planning controls are flouted there is a perception, often accurate, that they are not being sufficiently enforced.

Response to the criticisms

There were 15,489 responses to the Green Paper consultation exercise. Many responses were supportive of the need for reform and the broad aims behind the Government's proposals. Here are a few positive highlights:

The RSPB agrees that the system needs change and that the Government is to be commended for initiating this important debate.

The CPRE accepts that there is room for considerable improvement in the existing planning system and find significant elements of the Green Paper proposals to welcome.

The National Trust *welcomes the debate triggered by the publication of the Planning Green Paper and recognises that the land use planning system needs reform.*

The CBI *believes that there are many very welcome proposals.*

The RTPI *welcomes publication of the Green Paper and the widespread debate that has followed, which demonstrates overwhelming support for an improved planning system.*

The Planning Officers Society *fully endorses the Government's objectives for reform and is pleased that the Government has recognised that a major review of the planning system is necessary.*

The RICS *endorses the assessment of the problems associated with the current system, including the current level of complexity and the lack of speed and predictability.*

The TCPA *welcomes the analysis offered by the Green Paper of a planning system which has become too slow, socially exclusive and in need of reform.*

When it comes to lobbying bodies in the planning field, the TCPA is probably a very good benchmark. It has a distinguished pedigree and has enjoyed a long life; it has outlived DoE, DETR, DTLR and will doubtless outlive ODPM. It may be helpful to look a little more closely at its views to gain an appreciation of the extent to which there is common ground between Government and professional aspirations.

On July 12, 2002 the TCPA published "Planning Reform: Where next after the Green Paper?". In it, TCPA Chair David Lock began thus:

"No blame attaches to Lord Falconer for any lack of understanding . . . of the planning system . . . he had been very badly briefed; there is barely a handful of professional planners at a senior level."

It is gratifying to note that Lord Falconer receives absolution and, without admitting liability, I am not going to take issue, at this point, with his assertion about briefing. But he does raise an interesting issue about the scope for, and value of, professionals in policy making within the civil service.

In questioning need for reform of the planning system Lock generally agreed with the criticisms and made some interesting observations along the way, including the following:

" . . . the system is too slow for developers, too fast for the public, and too complicated and mysterious for all but the lawyers."

The overwhelmingly legalistic character of our planning system underlies this implied criticism and we need to debate whether it really does give planning a bad name and whether, given that planning is inextricably bound up with property rights, the law is an inescapable component. And if that is really so, what are the implications for the Government's aspirations for a more consensual, less adversarial planning system. A theme to which we will return.

" . . . planning, as an activity of the State at its various levels, is a popular activity."

I cannot help observing that there is a widely held contrary belief that planning, like management consultancy, journalism and politics is generally held in very low esteem. Perhaps David Lock drinks in different pubs from the rest of us.

In addressing plan making at the national level he said:

"New PPGs . . . should be short and to the point . . . and be sensitive to the fact that applicability may vary from region to region"

Parliament should set the national policy framework. . . . The Green Paper's proposal to let Parliament make a decision on a specific infrastructure project 'in principle' should be abandoned."

At the regional level he said:

"The Minister should commit to the idea of regional spatial strategies and, where appropriate, to sub-regional RSSs.

. . . in the South East . . . the majority of local authorities have been in denial of the need to house their people . . ."

And at the local level:

"One draft (plan) would be sufficient before the formal 'deposit' stage.

More staff should be deployed . . .

The process should be subject to a statutory timetable . . .

The Inspector's recommendations should be binding on the local authority."

Lock suggested that making the recommendations binding would be rough justice, but that it would eliminate roughly two years of process after the local plan inquiry stage.

The name (LDF) is an improvement on 'local plan' and is worth using. Broad swathes of a district, where little change is expected . . . can be regulated by a 'statement of core policies' saving a lot of time and argument

. . . 'action areas' would be an excellent focus of effort and attention.

And on development control reforms:

". . . performance targets should be set . . . recognising that big schemes take longer to process than smaller ones.

The Minister should abandon the idea of letting statutory consultees charge for their opinion . . .

. . . to substitute outline planning applications by a procedure for the submission and approval of a development brief is a good idea . . .

Planning agreements to be placed on the statutory Planning Register—this reform is long overdue."

I plead guilty to quoting selectively from the TCPA publication, but not, I hope, overly so. David Lock must be pleased that so much of what he advocated on behalf of the TCPA found its way into the Deputy Prime Minister's Statement, which followed their publication only a few days later.

Delivering change through planning reform

On July 18, 2002 the Deputy Prime Minister made a Statement to the House of Commons entitled "Sustainable Communities, Housing and Planning". In it he set out the Government's plans for building successful, thriving communities and the way in which the planning system could support that by "making the best use of our land, increasing development on brownfield sites and protecting and enhancing our greenbelt and valuable countryside". An associated document entitled "Sustainable Communities—Delivering through Planning" spelled out the detail and revealed the key themes of reform:

- *setting out a clear understanding of what we are planning for; making the system work better at national level by improving national planning policy; speeding up the overall process for dealing with major infrastructure projects; and improving the Government's own performance in processing called-in applications;*

- *making the system for plan making work better at regional and local level;*
- *making the system work better at local level by overcoming obstacles to land assembly; encouraging high quality development; and improving the processes for dealing with planning applications and planning appeals;*
- *promoting a culture change in planning; too often the culture of planning is reactive and defensive; we want a culture which promotes planning as a positive tool: a culture which grasps the opportunities to improve the experience of planning, for those affected by its decisions, whether businesses, community groups, individual members of the community or planning professionals;*
- *improving the process by which development adds value to communities through better design; and*
- *better community involvement which takes into account the needs of all those with a stake in the system.*

To engage the landed professions represented at the Conference and stimulate dialogue about the most effective ways of implementing reform, it may be helpful to highlight some of the sub-text to the themes with direct quotations from the document, and offer a few comments or questions along the way. For the avoidance of doubt, quotations are selective.

Planning for a purpose

We propose to include a statutory purpose for planning in any proposals for legislation that are brought forward, subject to ensuring that this is done in a way that does not create additional complications for the way that the system operates. Any statement of purpose would need to be short, clear and understandable, placing specific duties on those who operate the system. It would need careful consideration of all the legal issues.

A number of respondents to the Planning Green Paper consultation effectively said that planning had lost its way and needed to rediscover its purpose. Planning is widely seen as a mechanism for achieving a balance between the needs of local communities and the wider concerns of society about the country in which we want to live on the one hand, and the need for positive development which brings prosperity and serves the legitimate needs of the economy on the other. Given the title of the DPM's Statement, the "purpose" should probably refer to sustainable development. But is this concept generally understood? And if not, would the use of the term give rise to more debate than certainty? What are the legal pitfalls and how are they to be avoided?

Improving national planning policy

We will make improvements to national planning policy statements (PPSs), which will, over time, replace the existing Planning Policy Guidance notes (PPGs). We will seek to reduce the volume of guidance and increase its clarity. We will prescribe less policy at the national level and ensure that PPSs are more concise, clearer and better focussed on implementation of policy objectives. We intend to review existing policy guidance over the course of the next three years.

There is widespread acceptance of the need to shorten and focus national planning policy statements, which have been endlessly argued over and prayed in aid at countless inquiries and EIPs. But it will take time and we will need to prioritise the process. For example, which should take precedence for revision, green belts or retailing, the countryside or pollution? The landed professions need to engage with and positively influence this policy revision process.

Improving Government performance

The benchmark for improvement is performance at October 2001, when 80 per cent of cases were decided in 32 weeks from close of inquiry to decision. Our target is, by March 2004, for at least 80 per cent of cases to be decided

within 16 weeks from close of inquiry to decision. We believe that setting statutory timetables would help to underpin our work to deliver performance improvements, and we will therefore seek an enabling power in primary legislation for the Secretary of State to prescribe a timetable for called in applications and recovered appeal decisions.

It was recognised that it would be difficult to exhort local authorities to better performance when the Government's own record was poor. So the decision-making process for called-in applications and recovered appeals was quickly transferred from Government Offices and centralised in the Department in the interests of speed and efficiency. That is already operational and should bring additional benefits over time as the central focus bites more on qualitative aspects such as consistency and policy development. And in time the central skills could be applied to other Ministerial casework with a planning component like minerals, waste and TWA casework. But there may be pitfalls in statutory timetables that will need to be avoided, lest milestones turn into millstones.

Major infrastructure projects

We are committed to speeding up the processes for dealing with major infrastructure projects. We need to do this in an effective way. We can achieve this by pressing ahead with the other elements of the reform package. We will issue clear statements of national policy about the need for specific investment as this will help reduce decision times. In addition to the recently published Major Infrastructure Project Inquiries Procedure Rules we are considering further ways to make public inquiries more efficient. One way that this might be achieved is by allowing the consideration of issues concurrently rather than sequentially. Initial findings suggest that this could save inquiry time of up to a third. This means that the inquiry would not have to wait for each issue to be dealt with in turn, when two or more issues can be dealt with quite adequately at the same time, thereby saving time. In considering this we recognise the need to ensure that the changes do not erode the ability of the public to participate as appropriate. We propose to bring forward the necessary legislation when Parliamentary time permits, and to introduce new Rules as necessary.

There was little enthusiasm for the Parliamentary element of the Planning Green Paper proposals (although, as an aside, it will be interesting to see what route the promoters of the next major rail proposal take; CTRL was promoted by way of a hybrid bill whereas Thameslink 2000 is going through the TWA process). So the answer must lie in a combination of clear national policy statements and more parallel working at inquiries. But for this to work effectively we will need to ensure that the appropriate EIA (and in due course SEA) requirements are observed and that inquiry participants are prepared to be more flexible and pragmatic in accommodating concurrent activities and less adversarial routines.

Regional Spatial Strategies

We intend to proceed with the Green Paper proposal to abolish structure plans. However, the consultation response indicated a strong concern that county councils, in addition to their continuing roles in relation to planning for minerals and waste, and in preparing Local Transport Plans, should continue to have a role in the planning system more generally. We intend to make provision for the counties to act as agents of the regional planning bodies in providing technical expertise on issues and/or leading on sub regional parts of the strategy (distribution of housing etc for example). Through their representation on the Chamber the county councils will be able to play a part in the decision making processes.

The regional agenda is central to the very being of ODPM so reinforcement of that dimension was bound to result. The valuable skills that reside in County Halls have, however, received due recognition but there will be a need to clarify roles and responsibilities with care or this could be a recipe for confusion.

Local Development Frameworks

We propose to substantially improve the process whereby plans are considered and adopted. Better engagement at earlier stages in the process will help reduce objections at later stages. But we also intend to:

- *promote mediation over objections to plans;*
- *require time-tabling of the inquiry process;*
- *give Inspectors more control over the procedures to be used, including through consideration of written representations, an examination conducted on a round table basis or a hearing; the hearing would be non-adversarial and inquisitorial with no right of formal advocacy and cross-examination unless the Inspector or Panel decides it is necessary; and*
- *make the Inspector's recommendations binding on the authority.*

Statutory LDF documents will be subject to testing by an independent Inspector or Panel. However, we recognise the concerns raised by many about the Green Paper proposal to limit the right to be heard. We have therefore decided not to remove the right of objectors to be heard. However, the presumption will be that this will take place in informal hearings (as outlined above), which are much more user-friendly. We will also change the focus of the Inspector's or Panel's examination to consider the soundness of the plan as a whole (i.e. not restricting it to those matters that have been objected to, as is the case currently).

Retaining the right to be heard has the potential to negate the benefits of other proposals to expedite what is already a very slow process. The professions will therefore need to play their part to the full to make the LDF proposals work by focusing their inquiry participation effectively and being more open to the use of mediation, hearings, round table sessions and topic examinations. This is bound to cause advocates some soul searching as regards their traditional roles and functions, but there is a thirst for a less adversarial and more inquisitorial approach to the independent testing arrangements for plans which needs to be acknowledged. And it is bound also, to influence the relationship between the participants and those who direct the investigative process as timetabling becomes more demanding and control becomes more rigorous.

Making the system work better at local level

But business also must play its part by consulting communities on planning applications before they are made, to clarify and resolve issues before the formal processes start.

This proposal has overtones of pre-application discussions with local planning authorities, which have not always proved popular with or effective for agents and developers either because, for example, of local authority staff shortages or officers having insufficient authority to "deliver" their side of the bargain. Business will need to make a much greater effort in future than it has sometimes done in the past where the proposals of large national or multi-national organisations are often developed without any local influence, even from local in-house management.

Land assembly

We will speed up the procedures for confirming and implementing compulsory purchase orders. These changes will include provisions for allowing acquiring authorities to confirm their own orders where these are uncontested, and for the consideration of objections by written representations.

The introduction of written procedures to the resolution of objections will limit the scope for advocates and for the protracted negotiations, which often precede and permeate the inquiry process.

Business Planning Zones

We will require that development within Business Planning Zones should be of high quality and should be of low environmental impact, and we will set the parameters of development tightly to ensure that good quality environments are created. This is not only for the protection of those in the vicinity of the new BPZs but to enable companies operating within the zones to be guaranteed that they will have good neighbours. An environmental impact assessment will be required before a BPZ can be designated. We will be issuing guidelines on how the new Zones will work.

There is some scepticism about Zones generally and Business Planning Zones may not be universally popular, but the Government is determined to introduce them. So the challenge will be to ensure that EIA requirements are properly complied with and thus provide certainty for applicants and authorities alike. The landed professions and the JPL ought therefore to engage actively in the process of designing adequate “quality assurance” for BPZs.

Greater certainty over what may be allowed

We will take forward the proposal to introduce a certificate, which we are calling a statement of development principles, which might eventually replace outline planning permission. Outline Planning Permission will, however, only be removed once the statement of development principles has been proven to work.

Here again, the challenge will be to ensure that EIA requirements are fully met, whatever consenting regime is finally adopted, thus maximising certainty and minimising the scope for litigation.

We have decided to

- *reduce the period of validity of a planning permission to 3 years with the caveat that local authorities should have the discretion to agree longer permissions where this would be appropriate. This may be, for example, where projects have long lead times;*
- *enable local authorities to refuse repeat applications where the local planning authority have refused a similar application, and there has been no appeal against that refusal to the Secretary of State. We have also decided to extend the powers to decline to determine repeat applications for prior approval under the GPDO and for listed building and conservation area consent; and*
- *take powers to enable a local planning authority to refuse to accept a substantially similar application if a previous one has not been finally determined (“twin tracking”). We will bring these powers into effect when we are satisfied that substantive improvements are being made in dealing with planning applications. The Secretary of State will prescribe, by Order, classes of development to which, or circumstances in which, these provisions would not apply. We have decided to extend these powers to applications for listed building and conservation area consents.*

Processing planning applications

We proposed that delivery contracts could be used to match expectations of service delivery by authorities and applicants once an application had been made. We intend to take forward work on the use of such contracts for large applications. We need to make sure, however, that there are the right incentives right for both parties to deliver what is needed to reach a planning decision.

Agents will want to ensure that local planning authorities keep their side of the bargain, but agents themselves will need to avoid being accused of delaying tactics and “playing games”. This represents a real challenge for the professions represented at the JPL. For far too long agents have understandably complained about delay in the handling of planning applications. Here is the long awaited opportunity

to reach a clear understanding and agreement with the local planning authority about what will be involved in processing an application and how long it will take. But will it be grasped? We must hope that it will be and that the professions will contribute to the process by, for example, designing model contracts.

Helping communities

The Planning Green Paper also outlined our intention to help individuals and community groups to develop planning advocacy skills and to have better access to quality training and planning advisory services. We intend to take powers to provide financial assistance to Planning Aid. We are also looking at ways of using mediation in the planning process.

As David Lock pointed out in the TCPA publication, not all planning aid comes from Planning Aid (pioneered ironically by TCPA). What are the implications of this funding proposal for the Pro Bono work of the Planning Bar or some of the work of the Environmental Law Foundation for example? And what are the implications for (say) planning consultants who might otherwise have enjoyed a commission from the aggrieved party? This will need to be positively addressed by professionals, as will the growing demand for mediation. How, for example, will advocates adjust to the increased use of mediation? Will they ignore it or embrace it? If they are to embrace it, how will they do so? What would this imply for their training needs? And what does this all imply for the skills which advocates will need in the future?

Culture change

Achieving the culture change requires all involved to play their part. The Government can do a number of things to help:

- *we can provide tools to help through improving IT and identifying and promoting best practice and guidance; and*
- *we will work with local authorities, the professional institutions, education institutions and other stakeholders to improve recruitment into the planning profession and the training and education of planners.*

Changing the culture of what many would regard as an unpopular system, which has long been starved of resources, staff and status, will not be easy. It will be challenging for all of us as professionals to play our part in raising the planning game. Those of us in the centre will be encouraging change, amongst other things, through:

- the channelling of resources;
- engaging directly with local government, NGOs and professional institutions;
- new approaches to education and training; and
- community engagement.

Can the landed professions rise to the challenge of the new agenda and play a significant part in changing of culture? And if so, how? Or will they be left high and dry as the flow of reform accelerates? There are some serious questions here, which require early consideration by the professions generally and the JPL in particular.

Tools for the job

The ODPM's Planning Portal project is now at an advanced stage. The service is being test-run and will be launched to the general public in the autumn when the necessary order under the Electronic Communications Act to facilitate the electronic submission of planning applications and appeals comes into force.

The professions have ably demonstrated that they are well up to speed as regards new technology and will no doubt warmly embrace the advent of E business in the planning regime. But you may have to give them, and maybe even us, some encouragement.

Skills

We also need to raise the skills of members of planning committees. Jointly with the RTPI, LGA and IDeA, we published a training prospectus in 1999. We are reviewing it to see whether it is up to the job.

It would be interesting to know what conference delegates think about the need for and scope of elected member training. No doubt the principle will be warmly welcomed. But what, additionally, should elected members be trained to do? And by whom? Is there, perhaps, a part for the professions to play in ensuring that elected members understand what the professions are about in plying their trades? But conversely, with increased delegation of decision-making to officers should the professions be contributing more to the training of officers?

Resources

We propose a new incentive grant worth £350 million between 2003 and 2006. This would give authorities £50 million in 2003/04, £130 million 2004/05 and £170 million in 2005/06. More money must mean a better standard of service, so the extra resources will only go to those authorities that demonstrate their commitment to high quality planning service. Extra resources are also being made available to speed up the handling of called-in cases and appeals. In the Green Paper we said that that local planning authorities have proper fee income for the work that they do. Fees for planning applications were raised by 14 per cent from 1 April this year. This will bring in an extra £20m. On top of the grant described above, if performance improvements justify it, we could also put up fees further. We are undertaking a wide ranging review of fees as promised in the Green Paper which will report early next year. This will include consideration of whether and how local authorities should levy a charge for pre-application discussions.

At present the value of pre-application discussion between applicants/agents and local planning authorities is open to dispute. But with additional resourcing and greater delegation of decision-making to officers, the potential benefits should be much greater. It would be interesting to hear views on how the scale of charges might be devised.

Challenge for the professions

All of the reform proposals present challenges for barristers, lawyers, surveyors and planners, in public and private sectors. How will we respond to the changing culture? How can we promote culture change? Let's pose a few final questions to focus on the issues that face us in changing the culture of planning:

Statutory Purpose for Planning

- How should it be defined?
- What are the legal issues and how can they be resolved?

National Planning Policy

- In which order would delegates wish to see PPGs revised?

- What national statements would most assist the testing of major infrastructure projects?

Training

- What sort of training should elected members undergo?
- How can the training of planners be improved?
- Do JPL delegates require to be trained in less adversarial investigative techniques?

Inquiries

- How can concurrent consideration of different issues be made to work effectively?
- Do advocates need to find a new role in less adversarial and more investigative proceedings?

Pre-Application Consultation

- Is the business community up to the job of securing better community involvement in the evolution of development proposals?
- How should fee scales be constructed for pre-application discussions with local planning authorities?

Planning Aid

- What are the implications of an expanded Planning Aid service for other free services *e.g.* Pro Bono or ELF?
- What are the implications for the income of planning consultants?
- What can the professions contribute to the communities that require advice?

Mediation

- How can the professions embrace mediation?
- What further opportunities are there for using mediation in resolving disputes over planning applications or appeals?

Environmental Impact Assessment and Strategic Environmental Assessment

- How will we ensure that national policy statements accord with EIA and SEA requirements?
- Will statements of development principles be required to be EIA proof and if so, how?
- How should EIAs be undertaken in Business Planning Zones?

Postscript

As we began, so must we finish. *You, them and us: changing the culture together.*

The concluding remarks could be interpreted as rather patronising and are probably slightly didactic in tone, but it is important that key messages of the reform agenda are recognised by the professionals. So briefly, what are they if we define the planning players thus?

You

There is a distinctly consensual theme running through the new agenda, which is bound to have considerable implications for those of you who have hitherto made your living in adversarial situations. You will need to embrace new ways of working as tighter control of inquiries, less cross-examination,

more hearings and delivery of results. So those of you who are planning consultants will have to progress your clients proposals without the benefit of "twin tracking" applications and get started on the ground within three years of obtaining consent.

Them

The under-funding of planning authorities will be addressed through new resources but they too will need to deliver by giving planning a more prominent place on the agenda, providing their elected members with the skills to do the job, delegating more decisions to officers and determining applications more speedily.

Us

Central Government has its part to play too. We will have to produce the legislation to implement reform—primary and secondary, comprehensively and quickly, review national planning policies, produce guidance on how the new development plan system should operate, and raise our game in turning round casework on shorter timescales—and that means the Planning Inspectorate as well as the Department.

There is much to be done and much of it will have to be done against the clock. But at the end of the day we all hope that the system will be, if not better, simpler and faster, at least faster, fairer and more predictable.