

## Localism: A Case of Old Friends Re-united?

**Abstract:** *Looking at a set of recent planning outcomes across England, it's clear that the localism agenda hasn't tipped the balance in favour of grassroots communities. The same old names keep cropping up.*

The Localism Act 2011 was originally [introduced](#) in Parliament as the *Decentralisation and Localism Bill* (note the italics). Clearly, something major got lost in the process. Perhaps this explains why, despite the Chancellor's persistent claims – most recently in [his 2015 Budget speech](#) - that unprecedented powers are being given away to localities, and satisfaction with local authorities and public services in general has never been higher – the reality's less positive.

In our relentless trawl of press reports, government websites and blogs, Localism Watch has found little evidence that the 2011 Act has sidelined the Westminster village and put local people in the driving seat. The same conflicts, the same outcomes, indeed the same faces, keep showing up. If anything, it suggests that, far from being marginalised, the powerful and well-connected are using (or sidestepping) the new legislation to entrench their interests at the expense of grassroots communities. Equally, where local councils and people are seen to be doing something new and positive, the chances are that it's despite - not because of - the government's localism agenda. Let's look at some recent examples.

### Hands across the sea? Localism, Barnet-style

Our old friends in LB Barnet are still at it. They and their development partners, Barratt Metropolitan, have served Compulsory Purchase Orders (CPOs) on the entire West Hendon community to make way for 2,000 new flats. Barratt Metropolitan and the council told a recent [public inquiry](#) that the orders were necessary, because it was “unlikely” they could acquire the properties “within a reasonable timescale” otherwise. They also claimed that the CPOs were “in the public interest”. The proposed clearances were “critical” to West Hendon, as the area would “benefit from additional spending power” from people moving into the new homes. Back in 2002, the council balloted residents on the scheme, and 75% were in favour. But a lot's changed since then.

At the inquiry, a local leaseholder, Kalim Khalick, [questioned](#) the scheme's economic benefits: “There aren't enough jobs already. Shifting in another 1,500 families is going to decrease the chances of people in the local area getting jobs.” West Hendon councillor Devra Kay asked when the promised new schools and health facilities would be ready. She also asked if the fact no secure tenancies had been given to people on the estate since the 2002 ballot was deliberate on LB Barnet's part. Another local resident said: “You are displacing a whole community. You make it like you are building for us, but it's for the private sector. All of a sudden I have lost all my neighbours. Yes, it's going to be beautiful, but no one I know will live there. The social landscape will have changed.”

Dan Knowles, a consultant speaking for local tenants, [asked](#) if a more recent ballot would have been similar to the one in 2002: he was concerned that that the council was using 15 year-old statistics to “justify” current resident support. Knowles added: “Considering the scheme contained a number of

pledges no longer on offer, and approximately three times as many new build properties, would it be fair to suggest public opinion would not be in the council's favour?"

Martin Cowie, LB Barnet's assistant planning director, told the inquiry that the estate's current condition was "not sustainable" into the long term. Some of the original promises made to the tenants have now been dropped – including rehousing everyone on the same site – due to the "drastic and unforeseen economic downturn of the late 2000s". But Mr Cowie insisted: "Most of the pledges remain the same and will be met." (It should be noted that the council's entire physical planning service has now been [outsourced](#) to Capita, giving rise to concerns about its commitment to defend resident interests against developers at inquiries such as this.)

Elsewhere in Barnet, Russell Brand led an activists' sleepover in the Sweets Way estate, Whetstone. They're protesting against Annington Property Ltd, who own land and houses there and [moved tenants out](#) to make way for a private residential redevelopment.

A spokesman for Annington said: "It is regrettable when homes need to be demolished, but [our] decision to redevelop the estate will see an increase in the number of homes by more than 100%, from 142 to 288, and the inclusion of 20% affordable homes will see a minimum of 59 created where there were none before. Annington has begun court proceedings for a possession order so that it can evict the squatters. These properties have long been earmarked for demolition and Annington advised tenants of this back in 2012. Annington wrote again to tenants last July to ensure that they were all aware of the need to vacate the properties in January 2015."

It's since been [revealed](#) that Annington has been bought by Terra Firma, a property business controlled by Guy Hands, a tax exile and one of Britain's top private equity investors: he's also rather well connected. William Hague was best man at Hands' wedding.

### **Is Westminster stretching the boundaries of localism?**

Another London Borough under fire for its housing policy is Westminster. LB Barking and Dagenham has accused it of buying up houses in its area as a means of clearing out some of the wealthier borough's poorest residents. It is [reported](#) that Westminster has spent £6million on 34 homes across Barking and Dagenham and three other north east London boroughs, with another £9m earmarked to expand its portfolio.

Barking and Dagenham council leader Darren Rodwell says this is adding to pressures on local services, and feels that his borough is being "treated as a convenience". To him, Westminster's policy is "social cleansing" and an "affront to residents". Not only are local people being deprived of housing, the borough's education provision is suffering: "We're building two schools a year," says Rodwell, "They've got 250 school places vacant. They should be building in their own borough."

As we noted [previously](#), Westminster contains some of Britain's wealthiest neighbourhoods: but, by virtue of the same fact, it's also home to many of its lowest-paid families. And it draws in disproportionately large numbers of homeless people. By law, all councils must make provision for those without a roof over their head. It's also the law that councils can only keep vulnerable households in short-term accommodation like B&Bs for a maximum of 6 weeks before finding

longer-term arrangements. In 2013, it was reported that Westminster was [spending around £48m](#) providing temporary homeless accommodation, and was scheduled to go [£6m over budget](#) by March 2014: even then, it was failing to meet legal requirements.

A year ago, Westminster said that it had plans to build 500 affordable units. Over a [third of its 22,000 council houses have been sold](#) since Right to Buy began in the 1980s: much of this sold-off stock is now held by buy-to-let investors. It would be malicious speculation to link Westminster's £6m shortfall in meeting its homeless obligations to the identical sum spent in buying out London properties. Yet those of us with longer memories will recall that Westminster has an unfortunate track record in re-profiling neighbourhoods for motivations that could be construed as political. The faces may have changed, but the shadow of the 1980s ['homes for votes'](#) scandal, which forced Westminster's then leader Lady Porter out of office, seems not to have entirely disappeared.

### **More old friends: this time, it's Gladman Developments**

Current [national planning guidance](#) requires councils to provide for a 5 year supply of housing land in their local plans. But as Localism Watch has [shown](#), it's not easy for a council to prove exactly what this "5 year supply" means in its particular area. Housing demand varies from place to place, for many social, economic and environmental reasons. Well-resourced development companies regularly challenge the evidence on which cash-strapped councils base their plans, and this may result in these plans being thrown out at inquiry. Government's guidance has skewed planning outcomes, so that if a council's plan is out-of-date or isn't yet in place, there's a presumption that applications for 'sustainable development' should be approved.

Darlington Council has recently seen a planning inspector dismiss its five-year housing supply figures and housing policy as 'out of date' at an inquiry brought by Gladman Developments, who [won an appeal](#) to build 250 houses on a local greenfield site. The [predatory activities](#) of this property company have been widely reported in Localism Watch and elsewhere. Council leader Bill Dixon said Gladman won 97% of its appeals because it had the money to spend on lawyers while local authorities did not and "central government policy was stacked in favour of development."

He added: "We've got a problem with housing in Darlington which is why we launched the Local Plan and unfortunately they've spotted a weakness in it. The data involved are very subjective. Gladman put some figures before the inspector and ignored others and it was only when the appeal began that officers knew what they were going to act on." Cllr Nixon acknowledged that other developers might well use the inspector's decision as a precedent for making further applications.

Cllr Heather Scott, leader of Darlington's Conservative group, said: "There is a catalogue of things that have gone wrong, [due to the] Local Plan, which the inspector has said it not up to date." Council officers told her that they had not grasped the details of certain legal changes ahead of the appeal, and Gladman had exploited this. Cllr Scott added: "To us, it looks as though it's been totally messed up. They were so sure that the figures they had were right and someone has come in and torn it to shreds. I think they were overconfident in themselves."

What makes it all the more difficult for Darlington is that another planning inspector has [rejected](#) Durham County Council's strategic bid to make the wider area an 'economic powerhouse'. Harold

Stephens said that the 20-year County Durham Plan (CDP) contains proposals which are “unrealistic, flawed, not justified, deliverable or environmentally acceptable and unsound.” These include a projected 31,400 new homes, 500 hectares of employment land and 9,500sq metres of retail space, with the aim of creating 30,000 jobs across the county by 2030.

The inspector concluded: “I am fully aware of the council’s ambition to adopt a Local Plan for County Durham as soon as practicable and to avoid unnecessary delays to examination. However, it is not in the best interests of planning or plan-making to recommend an unsound plan for adoption, which would clearly run the risk of subsequent legal challenge. Consequently, I would ask the council to carefully consider the implications of these interim views before advising me on the preferred course of action.”

### **Fracking: negative energy, different approaches**

Whereas the Localism Act is supposedly about transferring powers from the centre to local communities, the government’s new infrastructure laws openly strip away many long-held powers of private individuals and localities, while consolidating the control of Whitehall and its friends. The Growth and Infrastructure Act 2013 and the Infrastructure Act 2015 have been designed by the Coalition to make it easier, quicker and simpler to [‘get Britain building’](#). They cover a very wide range of themes, from strategic transport to mineral extraction.

On the one hand, they offer local people tiny carrots, such as being able to buy shares in renewable energy projects. But these are dwarfed by the giant stick of central government’s new powers. Ministers can now steamroller high-speed rail and shale gas extraction (fracking) proposals by removing local communities’ and councils’ legal rights to scrutinise and contest them. They also give the promoters of such schemes the right to prospect and drill under private properties without their owners’ consent. In January, as the Infrastructure Bill was going through its final stages, Parliament [rejected](#) Labour moves for a moratorium on further fracking proposals, pending an assessment on its environmental impact: the government, however, agreed to an “outright ban” in National Parks.

Like the property industry, many of fracking’s top promoters are senior parliamentarians, close to the government: ex-Tory Minister [Lord Howell](#), who has famously pushed for fracking to commence in the “remote and desolate” North East and North West, is George Osborne’s father-in-law. And [Lord Browne](#), who as BP’s CEO from 1995 to 2007 was responsible for a “ruthless” international [programme of cost-cutting](#) that compromised safety, currently combines his role as a government adviser with the chairmanship of shale gas driller Cuadrilla Resources.

[Cuadrilla](#) has applied to begin fracking operations in Little Plumpton and Roseacre Wood, near Blackpool. But planning officers at Lancashire County Council have recommended rejection of these proposals, on noise and traffic grounds. Cuadrilla therefore asked the council to [defer a decision](#), giving the company time to assemble additional technical information and consult local communities.

Councillors voted at the end of January to defer matters for an eight-week period. They agreed that [a decision would be made on 30 April](#), following “consultation with regulators and the public”. A Cuadrilla spokesman said this would allow locals to “properly review the additional information” it

would provide. Friends of the Earth campaigner Helen Rimmer pointed out that the company “. . . had several months to present their case, which Lancashire's planning officers have found to be unacceptable.” She urged councillors to throw out the application, as: “Failure to do so will leave Lancashire as the UK's guinea pig for this unnecessary and polluting technology.”

Cuadrilla are also active in West Sussex. Last July, the county council turned down [an application by Celtique Energy](#) for oil and gas exploration on a site just outside the South Downs National Park. In addition to the likely disruption, the applicant had not, in the council's view, shown that the affected area was the 'best option site' for extraction. However, this does not mean that West Sussex has ruled out the possibility of shale gas extraction: they agreed to a proposal by Cuadrilla to carry out testing at Balcombe. Although Cuadrilla [said](#) in January 2014 that they would “not be fracking at Balcombe, now or in the future”, on geological grounds, local residents did not believe the company and launched a legal challenge. In December 2014, they [lost a High Court bid](#) to block these tests.

Ceredigion Council, however, has no such qualms about rejecting fracking. Following a local petition, it [agreed to a ban](#), and is the first Welsh local authority to do so. Cllr Alun Williams, who proposed the vote, said: “We have no viable sources of coal, shale or gas beneath us. For several years we have led, and made good progress, on energy conservation and renewable energy. So declaring Ceredigion a frack-free council underlines our well-established policy on energy. And, just as importantly, it demonstrates our willingness to listen to and respond positively to the expressed views of our residents.”

### **But there's positive energy too . . .**

Cornwall is the first council in the country to prioritise community-owned renewable energy. Local residents are being asked to share their views on a [draft supplementary planning document](#) (SPD) that will provide guidance on how renewable energy resources such as wind, solar, wave, geothermal and biomass, can be deployed without harming the county's environment and heritage. It also provides an explanation of community ownership and highlights the importance of good community engagement before planning applications are submitted. Interestingly, the motivation behind this initiative isn't due to the Localism or Infrastructure Acts. SPDs, which help clarify or support a council's local development framework, are published under regulations to the Planning and Compulsory Purchase Act 2004 –enacted six years before the Coalition came to power.

Once adopted, the SPD will become part of Cornwall's local development framework and be taken into account when determining renewable energy planning applications there. [In the council's view](#), this is a vital step forward in building a local energy market for Cornwall and should help raise the debate on a national level. “Community engagement is at the core of everything the Council does,” said Edwina Hannaford, Cornwall's Cabinet Member for Planning. “The Council recently completed a budget setting exercise which included a two month long consultation consisting of 19 public meetings, 79 online public conversations and a web-based news release, which received over 8,500 hits.”

### **Localism costs, but who's paying and who's benefitting?**

Nottingham City Council is [buying back](#) the Homes and Community Agency's 50% stake in Blueprint, a loss-making public-private partnership responsible for local regeneration projects. These include a

new science park, 'sustainable' homes and workspaces. The other stakeholders include Igloo Regeneration and the investment arm of insurance giant Aviva. The announcement, though, wasn't made in Nottingham, but in Cannes, where council representatives were attending MIPM, the world's largest property sector jamboree. Further evidence that localism's more about creating profitmaking- opportunities for offshore investors and the transfer of risk, rather than real powers, from the centre?

### **When you're in a hole . . .**

We've previously highlighted imaginative and not-so-imaginative approaches by councils to the growing curse of [potholes](#). And we've also drawn attention to the untapped potential of mobile phone technology in helping people make their local areas better places to be. CTC, the national cycling charity, has brought these two strands together by creating '[Fill that Hole](#)', a free app that allows users to take a picture of the pothole and report it from the kerbside. The app then sends that data to the local council's highways teams. It also allows users to rate a council's performance in carrying out repairs. The [results](#) vary widely among the 214 authorities, from 100% in Islington, Stockton-on-Tees, Redbridge and Hartlepool, to zero in Blaenau Gwent.

At the start of February, Cumbria County Council [reported](#) that it ranked 14th in the national league table. Councillor Keith Little, its Cabinet Member for Highways, said: "This app will help us to target our spending to the priority areas, quickly. People use their smartphones more and more these days and we are embracing this culture shift by endorsing 'Fill That Hole'. We are hard at work tackling potholes every day and I encourage people to download the app and report any potholes they see. After all, if we don't know about them we can't fill them!"

Maybe Cumbria has tumbled into a hole of its own making: when Localism Watch checked the Fill that Hole league table on 22 March, the county was [a sorry 52<sup>nd</sup>](#) in the standings, having filled in a mere 41% of potholes reported via the app.

If there's a clear message to be drawn from this selection of news and views, it's that localism, as conceived by the Coalition, is riven with contradictions. People at the centre, who feel they're born to rule, will almost inevitably have a top-down approach to policy-making. As localism is an inherently bottom-up form of working, the government have surreptitiously pulled back on their previous commitments. Their policies and programmes loudly talk the talk of community empowerment. But when local communities campaign for fair and just planning and housing outcomes, it's still the [chumocracy](#) who hold sway.

Published 27.03.2015