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5.5.16

Dear Roy,

Housing and Planning Bill Report: Day 4, Local Plans

I am writing following day four of Lords Report on the Housing and Planning Bill on 20 April.

You requested more information on the Government's proposals to take action where a local planning authority has not produced a Local Plan and the authorities affected.

We recently consulted on our commitment to take action where a local planning authority has not produced a Local Plan. We set out the proposed criteria to inform our decisions on whether to intervene to get a Local Plan in place. Consultation on our proposals closed on 15 April and we are currently analysing responses. It is not possible to identify the authorities that may be subject to any intervention until we have considered the responses to the consultation. Importantly, the measures in the Housing and Planning Bill will give us the flexibility to work pragmatically with authorities so that should we need to intervene we are better able to respond to the specific local situation.

We have been clear that in the first instance we want to work with authorities to get plans in place. That is why we have put targeted support in place through the Local Government Association's Planning Advisory Service and the Planning Inspectorate. We consulted on proposals to prioritise intervention where: the least progress in plan-making has been made; policies in plans have not been kept up-to-date; there is higher housing pressure; and intervention will have the greatest impact in accelerating Local Plan production. Our decision would also be informed by both the wider planning context of an area and by considering any exceptional circumstances an authority might wish to bring to our attention.

More information about our proposals can be found at:

<https://www.gov.uk/government/consultations/implementation-of-planning-changes-technical-consultation>

I would also like to take this opportunity to clarify the purpose of amendments 102A and 102B raised by the Noble Lord, Lord Stunnell and my Noble friend, Lord Lansley. Amendments 102A and 102B relate to local development schemes not to development plan documents (the documents that comprise the Local Plan). Since 2004 local planning authorities have been required to prepare and maintain a local development scheme that specifies the development plan documents the authority is preparing and the timetable to which they are being prepared. It is the mechanism for informing the public about an authority's plan-making activity.

Currently, section 15(4) of the Planning and Compulsory Purchase Act 2004 enables the Secretary of State or the Mayor of London (where the authority is a London borough) to direct a local planning authority to amend their local development scheme. In cases where an authority has not prepared a local development scheme, as it is required to do, amendments 102A and 102B enable the Secretary of State, or the Mayor of London in the case of a London borough, to prepare a scheme for the authority and direct the authority to bring it into effect. This will provide certainty to all communities about when a plan for their area will be prepared and when they will have an opportunity to get involved in that process.

I am copying this letter to Viscount Younger of Leckie, Lord Stunnell and Lord Lansley.

I will also arrange for a copy to be placed in the House library.

Best wishes,
Susan

BARONESS WILLIAMS OF TRAFFORD