

---

2nd Talk

---

## Dover and the Localism Bill

A talk by Terry Sutton and Patrick Sherratt  
introduced by Derek Leach and reported by Alan Lee

**A**s this is such an important subject, I have decided to print the majority of the talk in full, as it will no doubt have some affect on all of us at some time in the near future.

Consultation is still going on and changes to the Bill are still possible. Representatives from a number of civic societies in Kent, including The Dover Society, have met to discuss it. They then had 2 hours with the minister responsible to put their views and concerns. Patrick Sherratt, our acting Chairman of Planning, who represented us, collated our member's thoughts, concerns and its possible impact on Dover and included them in his submission.

The chairman Derek Leach introduced the speakers and outlined the major points of the Localism Bill at present proceeding through the parliamentary process.

### **What is it all about?**

This government has a policy of decentralisation and it is implementing this under six areas of action:

1. To lift the burden of bureaucracy
2. To empower communities to do things their way
3. To increase local control of public finance
4. To diversify the supply of public services

5. To open up government to public scrutiny
6. To strengthen accountability to local people

This will be tackled across all areas of government - already schools have the option of becoming independent of the local education authority and groups are able to set up their own free schools.

The Localism Bill is another step making radical changes to planning laws as well as new community rights.

Whilst we cannot examine all the provisions of the Bill tonight, we have identified those of most concern to The Society and to Dover.

Terry will give us the main features of the Bill and Patrick will comment with a few of the issues they raise. Once our *Two Ronnies* have finished the floor will be yours to add your thoughts.

Before they start let me remind you of the major concerns the Society has about Dover so that you can assess whether anything in this Bill will help or hinder improvement.

1. Dover, like many coastal towns, has increasingly become run down. It is seemingly unable to make the

best of its very rich history, stock of good Victorian buildings and beautiful natural assets and surroundings.

2. There is little regard paid to the quality of building coupled with a lack of awareness of what is special to our locality. Local Government appears unable, through either central government constraints and direction or its own lack of vision, to make the best of Dover.

3. The town centre suffers from the lack of concern from absentee landlords. In some other areas a plethora of developments of accommodation that is cheap and of minimum standard leads to a downgrading of neighbourhoods.

4. Dover and other local authorities need powers of enforcement over removal of rubbish dumped on private land. Neighbourhoods can be spoilt by careless owners and occupants leaving piles of rubbish and waste close to the public highways. Litter is a constant problem.

5. Because too much has been allowed to run down many inhabitants do not have a sense of pride in the town.

#### **Now THE TWO RONNIES**

##### **Terry Sutton (TAS)**

Good evening ladies and gentlemen, let us consider two main aspects of the bill, planning and community rights.

##### **Neighbourhood Plan**

One major element of this Localism Bill, although optional, is the provision for Neighbourhood Plans.

This will normally be formulated by town or parish councils but in their absence they can be drawn up by civic organisations (such as The Dover Society) or residents' groups.

The neighbourhood plan can make what is described as a neighbourhood development order for areas zoned for development. As I understand it this could mean such areas as the much-publicised Dover Town Investment Zone (DTIZ). In effect, this order grants either full or outline planning permission without the requirement to submit a separate planning application.

But a neighbourhood plan **MUST** fit in with national planning policy and the strategic elements of the district council's Local Plan, for example on how many houses per acre.

All such plans will be examined by what is described as an "*independent examiner*" to ensure they fit in with the overall planning policy.

All neighbourhood plans will have to be agreed in a public referendum in which the majority will have to support the plan. If the majority agree, then the local council **MUST** adopt it, whether in agreement of not.

##### **Patrick Sherratt (PS)**

So I suppose we must ensure that it is not tainted by the "*Loudest Voice*" or open to developer's backhanders and that any Neighbourhood Plan has cohesion for adjacent parishes in accordance with the Local District Framework. We need to see how

developments outside Neighbourhood Plans are policed and enforced.

**(TAS)**

Two sources of funding will financially support these neighbourhood plans.

1. The government says it will match for six years the council tax raised by each new house built. This is called the New Homes Bonus.
2. There will also be what is called a Community Infrastructure Levy where developers will be expected to provide finance to the local community so community groups can spend the money locally on facilities they want in their area—such as parks, playgrounds or cycle paths.

**(PS)**

Certainly interesting, but will it benefit Dover? The direct financial incentive by the Government only recognises new house build. Take Whitfield development with some 5,000 homes... this may have a knock on to Dover Town as '*migration*' to the '*New Town*' occurs leaving more empty properties both residential and commercial. The local council is therefore incentivised to encourage new build without any thought of the consequence to existing communities.

The introduction of a Community Infrastructure Levy could assist. Currently for the Whitfield Urban Expansion there is proposed a £2,000 per property levy on stage 1 and 1a (1500 properties) amounting to £3 million to be used for Rapid Bus Transport.... however nothing to

Dover town for regeneration or derelict property improvement.

**(TAS)**

As I understand it a key issue will be the availability of advice and guidance to help the local community prepare a neighbourhood plan. This help could come from private sector interests (such as major landowners, volume house builders, or a major supermarket chain).

**(PS)**

Well Terry that initially sounds like asking a thief to advise on security. Certainly great care will need to be made if a scheme is to be Community driven and not influenced by those who will financially or commercially benefit.

**(TAS)**

A reasonable observation Pat, but the government is also expected to announce a new fund to support local communities to replace existing Planning Aid.

**(PS)**

And so it should. It is pleasing to see some of the high cost quangos removed. However at present much of the Planning Aid is funded within the South East Economic Development Agency (SEEDA) pot. With the closure of SEEDA and a reduced spend it is essential that there is continuing regeneration support for the many coastal towns such as Dover that is in desperately in need of regeneration which is causing deprivation.

It must therefore be of paramount

importance to ensure local councils fight for a share of this pot and that central government ensure that when allocating Planning Aid funding that a set amount should be used for deprived towns in need of regeneration. Sadly for many years it has been seen that regeneration is needed in deprived northern towns due to the loss of industry but the pockets with similar problems within the "*Affluent South East*" have been ignored.

**(PS)**

However we shall have to see.... local government restructuring.... certainly a question mark at present.

**(TAS)**

That's enough about planning issues; let's go on to community rights.

**Community Rights**

Let's look at what is described as community rights in the Bill.

A number of new rights for communities are promised in the Bill. Civic societies like ours, and other groups, will have a legal right to buy community assets-such as museums, libraries, pubs or shops. If taken up we would have to come forward with a funded business plan to run them if the asset went on the open market. But of course, the owner would still be free to sell to somebody else.

**(PS)**

Yes very exciting.... how about Dover Society taking over the loos.... but I have to say we have not consulted our Treasurer.... anyway away from jest.

As Terry has said any such community asset purchased could be sold on.... Is this right? If a group secured the purchase of say Elms Vale or River Recreation Grounds, or even Connaught Park, only to be sold on.... quite worrying unless protection clauses are introduced. What about museums and their treasures?

I have to declare an interest as a Director of The Peoples Port bid. Before making the bid we had to secure the written support of our bankers as well as sound business plans in order to submit to Government. Although this bid has been made under section 9 of the Ports Act the criteria for ensuring that any bid from the community is sound must be part of a bid process otherwise any Tom, Dick or Harry can put bids in for all sorts of things and waste time and money.

I do however feel that in general the community "*right to buy*" may benefit more affluent communities. In Dover we need to ensure where there are opportunities these are not lost because of financial constraints within the community.

**(TAS)**

The Bill also provides the right to prepare a local list of community assets and especially a right to trigger local referenda on local issues.

This important measure gives people the right to instigate referenda on any local issue. But I am advised these referenda are not binding on councils

although the outcomes must be taken into account in decision-making.

Another important new right will be to give the community the opportunity to veto "excessive" council tax rises. What is excessive and will it be decided by the House of Commons?

So, if you think your district or town council is demanding too much in council tax (the rates) 5% of the affected population can demand a referendum on the issue.

The government says this is the first time local people can have the power to decide for themselves if the council tax demanded is too high, rather than a government minister imposing a cap on the amount to be paid.

#### **(PS)**

Well, what can we say! At what cost if it's not binding? Excessive tax rises.... again it could well cost the taxpayer more to secure the vote of the community than the cost of the tax rise.

In some ways having a local input is sensible (not only if too high) as if there was a need for an identified local public expenditure requirement which resulted in exceeding central government capping levels the community should be able to decide.

Certainly this is an area that needs to be re-evaluated.

#### **(TAS)**

The Localism Bill repeals regional planning strategies and abolishes

regional development agencies such as SEEDA.

#### **(PS)**

As I mentioned earlier quangos have cost the taxpayer millions.

There are already working arrangements between Kent C. C. and Essex C.C. and I suspect that smaller regional strategies will emerge, this, with a greater input from local councils.

The importance is on the priority of reduced funding and our elected county and district councillors must fight for the share of any funds (in particular regeneration) available.

#### **(TAS)**

The Bill also requires developers to consult local communities before submitting planning applications for large developments. It is also supposed to strengthen enforcement of planning controls.

The Bill also provides local authorities (such as DDC) with general powers of "*competence*" which, it is claimed, will free them up to be more entrepreneurial.

But, as far as I can see, there is no community right of appeal as set out in the Bill now before Parliament.

#### **(PS)**

Thanks Terry.

I think we have to recognise that DDC do operate an open consultation process with major developments. Whether the feedback comments are

always listened to is another matter, but perhaps this bill if adopted, may encourage greater community involvement.

Will it enable the Council to be more entrepreneurial? It may, without being cynical, be asking a great deal.

No right to appeal? Is that right, and therefore will it deliver community led objectives.

Well I hope our "**Two Ronnie's**" presentation has enlightened you on a topic that will be subject to much press activity over the next year or so. It is complex, and I have no doubt will go through several amendments, before a final reading and passing to the House of Lords.

Through the Kent Federation of Amenity Services and the Civic Society there is no doubt that issues will be raised and we must ensure any of our concerns are highlighted.

**(PS)**

That's goodnight from me.

**(TAS)**

And goodnight from me.

The chairman then took a series of questions from the audience. A number of interesting points, anomalies and concerns were raised by the members present. These were duly noted and were included when Patrick presented the societies' views in our submission to the minister.

## COWGATE CEMETERY

Jeremy Cope

We are working through the winter but the wet weather has made for a few gaps in our schedule. Nonetheless, we are making good progress in clearing out the old piles of mowings and prunings built up over the past years. With the lengthening of the days, we now look forward to spring, the warmer weather and the new growth - a prospect to bring a spring to our step.

Barry Late has earned the gratitude of all and been promoted to be the most important member of our team - he has volunteered to become our tea and coffee maker. We welcome a

new member to our team, Peter Hall. If any member would like to join us, do give me a call on 01304 211348 or send me an email on [jeremycope@willersley.plus.com](mailto:jeremycope@willersley.plus.com)

Our meeting dates for 2011 are:

Thursday	Saturday
(9.00 to 12.30)	(9.00 to 12.30)
7th April	16th April
5th May	14th May
2nd June	11th June
7th July	16th July
4th August	13th August
1st September	10th September
6th October	15th October
3rd November	12th November
1st December	10th December