



CABINET REPORT

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| Report Title | West Northamptonshire Development Corporation (WNDC) Quinquennial Review – Response to CLG consultation in respect of Urban Development Corporations (UDC's) |
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AGENDA STATUS: PUBLIC

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| Cabinet Meeting Date: | 9 th September 2009 |
| Key Decision: | NO |
| Listed on Forward Plan: | YES |
| Within Policy: | YES |
| Policy Document: | NO |
| Directorate: | Chief Executive and Planning and Regeneration |
| Accountable Cabinet Member: | Councillor Brian Hoare |
| Ward(s) | All |

1. Purpose

- 1.1 This report is to enable Cabinet to discuss and determine the Council's formal response to the Government's consultation paper with specific reference to WNDC.

2. Recommendations

- 2.1 Cabinet are recommended to agree the proposed formal response to the consultation attached at Appendix 1, delegating any final minor textual amendments to the Chief Executive in consultation with the Deputy Leader.
- 2.2 Cabinet are recommended to authorise the Chief Executive and the Deputy Leader to work with Northamptonshire County Council, South Northants Council, Daventry District Council and West Northamptonshire Development Corporation on points of common agreement and to lend the Council's voice to any common approach to Government that may help achieve change in line with the Council's response to the consultation.

3. Issues and Choices

3.1 Report Background

3.1.1. Communities and Local Government (CLG) is the sponsoring department for the three statutory Urban Development Corporations (UDC's). These UDC's cover the areas of London Thames Gateway, Thurrock and West Northamptonshire. At the time of their establishment in 2004-2005, the Government committed to undertaking a review of the UDC's after five years of their existence. This consultation forms part of the review and will be taken into consideration by Ministers in reaching their conclusions.

3.1.2 The review is considering in each case:

- Whether the UDC's have fulfilled the rationale for establishing them, and how well they have performed, including progress against the targets they were set, since they were established;
- Whether changes locally or regionally affect the continuing need for a UDC, or the extent of its powers;
- The impact of the changing national context, particularly the establishment of the Homes and Communities Agency;
- Efficiency, in the light of the Government's Operational Efficiency Programme ¹, which is looking at achieving greater efficiencies in a number of cross-cutting areas, including back office operations and IT, and collaborative procurement;
- Whether there are obstacles that if removed, or greater freedoms that if given, would enable the UDC's to operate more effectively.

¹ *Operational Efficiency Programme: Final Report (HM Treasury, 21st April 2009)* can be found at http://www.hm-treasury.gov.uk/d/oep_final_report_210409_pu728.pdf

3.1.3 The consultation paper sets out the rationale for the establishment of the UDC's, describes the changing national context, options for the future and explores specific issues for each of the Corporations at this time. The full document can be viewed at www.communities.gov.uk and a copy has been placed in the Members Room.

3.1.4 In addition to the responses to this consultation exercise, Ministers will also be taking into consideration the successes of the UDC's in establishing a clear regeneration framework and vision for their work, success in implementing key projects, performance in handling planning applications and overall cost effectiveness and value for money.

3.1.5 Cabinet will be aware that on the 8th July 2009, they considered the recommendations of Overview and Scrutiny 1 in respect of WNDC and that Report and Minute is attached at Appendix 2. Cabinet broadly accepted the recommendations of Overview and Scrutiny.

3.2 Issues

3.2.1 The key issues established for consideration in the consultation document have been set out in para. 3.1.2 above.

3.2.2 Cabinet agreed, when responding to Overview and Scrutiny in July 2009, that the Council should input in a constructive way to the review and in a comprehensive response deal with a number of key issues including:-

- (a) a redefined and refocused role for WNDC as the Local Delivery Vehicle (LDV) and its relationship with the Borough and District Councils, given its function to secure the regeneration of the area;
- (b) the role of WNDC as a Development Control Authority for the purposes of Part III of the Act and whether such a role is appropriate;
- (c) a narrower focus on the role of WNDC to delivering investment and regeneration;
- (d) changing the boundaries of its operational area and its functions within those boundaries;
- (e) introducing democratic accountability e.g. revising its Standing Orders so that NBC Councillors, as Board Members, are able to sit on WNDC's Northampton Planning Committee;
- (f) a managed and speedy transfer of WNDC's planning powers back to Northampton Borough;
- (g) a clear focus on Infrastructure funding and delivery;
- (h) mechanisms and processes for joint delivery of major projects, between the partner local authorities, including the sustainable urban extensions required to deliver growth.

3.2.3 These issues are included in the proposed draft response with some refinement and rewording. The response has also been informed by joint discussions between the four local Councils and WNDC over the last few months. The proposed draft response also responds to the key questions outlined in the consultation document, but focuses primarily on the key issues raised by Cabinet and Scrutiny to date.

3.2.4 Discussions with other Councils affected and with WNDC indicate that there is agreement between each of these agencies on many points about the future of WNDC, though not all. It is much more likely that Government will listen to the need for reform of WNDC if partners work together on key points of agreement. Whilst it is not yet possible to state the exact position of each partner, because they are still to determine their final responses, it is proposed that this Council should be willing to work closely with these partners on making the case for change to Government. This could include agreeing to a joint response in addition to the Council's own response, as long as any joint response is in line with this Council's agreed position of July 2009.

3.3 Choices (Options)

3.3.1 In respect of this matter Cabinet's choices are limited by the earlier decision of Cabinet in July 2009. They are:

- (a) Despite the decision taken in July 2009 to decide not to respond to the consultation paper. No justified reasoning can be identified for such an approach which, if adopted, would undermine the Council's reputation

and commitment to the Growth Agenda. It could also miss an opportunity to improve and re-focus the role of WNDC and our partnership with them for the future good of Northampton.

- (b) To respond constructively to the review of WNDC as proposed in the draft response and signalled by Cabinet at their meeting in July this year. Within this option, Cabinet may desire to respond differently on the key points raised in the draft response attached.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 There are no direct policy implications arising from this report.

4.2 Resources and Risk

- 4.2.1 There would be financial implications should the Cabinet ask for and receive the transfer of Development Control powers back to NBC as soon as possible. This transfer would require the transfer of staff from WNDC with attendant costs, and an increase in expertise and capacity within the Planning department. Precise requirements will be identified in the budget setting process. Whilst income streams should also come to the Council from WNDC there is an expected deficit on any such transfer. Should the proposal be accepted detailed discussion on transition will be needed with Government and WNDC.

The proposed closer involvement in strategic planning applications may produce further resource needs. All resourcing decisions will need to be considered alongside the Council's overall financial and service priorities corporately.

- 4.2.2 Any change to organisational arrangements will carry with it both opportunities and risks. It is critical that the outcome of the review process is a WNDC which is a more effective and focussed organisation. Failure to deliver this and to support the result wholeheartedly would damage the delivery of a better Northampton (one of the Council's key goals) through compromising local delivery.

4.3 Legal

- 4.3.1 There are no immediate legal implications, however the transfer of Development Control powers and other democratic changes may require further statutory instruments (SI's) to replace or cancel those passed in 2004 and 2006. The 2004 SI established WNDC. The 2006 SI established the planning powers of WNDC.

4.4 Equality

- 4.4.1 There are no equality implications arising from this report.

4.5 Consultees (Internal and External)

- 4.5.1 Consultation has taken place between the Chief Executive and the Director of Planning and Regeneration and the Head of Planning on this matter. Members have been engaged through the Scrutiny process and at Cabinet. As referred to

above, officers have also discussed this matter with the other three Councils and WNDL.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 Refocusing the role of WNDL and strengthening partnership working would deliver on a range of priority outcomes not least the regeneration of the Town Centre and delivery of the Growth Agenda.

4.7 Other Implications

None identified

5. Background Papers

- 5.1 Report to Cabinet from Overview and Scrutiny 1 dated 25th February 2009.
Report to Cabinet dated 8th July 2009.
CLG Consultation Paper re UDC's (June 2009). **ATTACHED Appendix 2**

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Urban Development Corporation Quinquennial Review –

Communities and Local Government Consultation

Formal Response from Northampton Borough Council

with particular reference to the

West Northamptonshire Development Corporation (WNDC)

Northampton Borough Council's (NBC) response to the review of WNDC has been helpfully informed by a recent review of WNDC by its Overview and Scrutiny Committee. This Scrutiny Review was carefully considered by Cabinet on the 8th July 2009 and that Report and Minute is attached as part of our formal response.

In setting the context for this response we feel that it is important that CLG understand that the context of local government and Northampton Borough Council in particular is very different now to the period which saw the creation of WNDC (2004) and the handing of planning powers to WNDC (2006).

The Joint Strategic Planning Committee has been established with the full and thorough involvement of all partners. A revised LDS is being delivered, with the emergent Joint Core Strategy currently out to consultation.

Northampton Borough Council has strengthened its capacity to deliver on planning and regeneration and this has been recognised by the ending of Government engagement in planning at the start of 2009. The Council now has much enhanced capacity and ability to lead on planning matters for the Borough and is recognised as a key and committed partner.

At County level, the creation of the Public Service Board supported by all partners has created an environment in which local government and partners work much more closely on the key issues for the County. Within this, a strong focus on Northampton and its future growth is recognised as a necessity and there is a common commitment to an effective delivery vehicle to make this happen.

The current arrangements for WNDC no longer fit the context of Northampton or West Northants and need fundamental change to make WNDC a much more focussed and efficient agency.

WNDC should be concentrating very tightly on the delivery of the major developments and investments, including major infrastructure in particular, that will enable the delivery of a better Northampton and West Northamptonshire through growth in the future.

WNDC should not be spending its time and energies on matters which are outside this scope, which are properly the responsibility of local authorities or which would be better delivered by more appropriately equipped agencies.

The Council has a positive vision of WNDC as a tightly focussed agency which has local backing to deliver married with support from the HCA and CLG and the RDA (EMDA). We believe that the journey towards that agency must be started now and deliver within 18 months from now. If all that comes of this review is marginal change within the context of a statutory (UDC) approach, then progress on the things that WNDC are geared up to deliver will continue to be slower than can be achieved.

In moving to a non-statutory agency, with local legitimacy and national backing, the local partners will be building on much improved local working relationships between Councils and between WNDC and Councils. If commitment is not shown by making WNDC considerably more effective within a short period, it will over time become harder to make progress and retain commitment from partners. Northampton needs arrangements which are locally focussed and legitimate, which engage partners across West Northants and deliver for the whole area, and which will enable innovation and growth.

The Council desires this important consultation to improve the ability of all partners to deliver the future Northampton (inside and outside this Council's boundaries). It is our assertion that this can be achieved by addressing the achievement of the following goals:

- (a) a redefined and refocused role for WNDC as the Local Delivery Vehicle (LDV) and of its relationship with the Borough, District and County Councils, given its function to secure the regeneration of the area;
- (b) the ending of WNDC's role as a Development Control Authority for the purposes of Part III of the Act;
- (c) creating a narrower focus for WNDC on delivering investment and Regeneration working closely with all partners;
- (d) changing the boundaries of WNDC's operational area and its functions within those boundaries so that for its revised purpose (rather than for planning purposes) WNDC is responsible across West Northamptonshire;
- (e) introducing democratic accountability to WNDC, for example by allowing Northampton Borough Council Councillors, as Board Members, are able to sit on WNDC's Northampton Planning Committee, and ensuring that nominations of councillors to the Board of WNDC are appointed by their own Council;
- (f) implementing a managed and speedy transfer of WNDC's planning powers back to Northampton Borough and the other planning authorities through the cancellation of the relevant Statutory Instrument;
- (g) ensuring that WNDC maintains a clear focus on Infrastructure funding and delivery;
- (h) enabling the development at local level, backed by CLG, HCA and EMDA, of mechanisms and processes for joint delivery of major projects, between the partner local authorities, including the sustainable urban extensions required to deliver growth.

These key issues are addressed separately below:-

(a) A redefined and refocused role for WNDC as the Local Delivery Vehicle (LDV) and of its relationship with the Borough, District and County Councils, given its function to secure the regeneration of the area.

- The future role of WNDC should be redefined and refocused to deliver investment and regeneration, with a strong focus on delivering the new Northampton for the wider benefit of Northamptonshire.
- This core purpose of WNDC should not be confused by amalgamating WNDC into any wider organisation covering wider objectives or geographic area, an approach which in our judgement would be more inefficient and would slow rather than accelerate delivery through the need to reconcile different areas of focus.
- Investment priorities and delivery plans should be clearly aligned to the Joint Core Strategy and Development Plan Documents within the emerging Local Development Framework for West Northamptonshire.
- Investment priorities and delivery plans should secure a balance between short term immediate delivery and medium/long term investment to secure future infrastructure to sustain delivery of new jobs, new homes and new facilities.
- This review should kick start the transformation as soon as possible of WNDC from its current statutory basis to a non-statutory partnership driven by shared objectives and backed by HCA and CLG and regional agencies or their successor bodies.
- We believe that such a transformation should be possible within 18 months. If Northampton is not to be left behind by the pace of change and regeneration, then it is absolutely critical to make these changes with as much speed as possible.

(b) The ending of WNDC's role as a Development Control Authority for the purposes of Part III of the Act.

- To maximise focus on investment and delivery WNDC should, as soon as possible, be relieved of its role as a Development Control authority.
- Development Control powers should be returned to Local Planning Authorities, through a managed process with a clear transitional plan agreed by all partners and supported by CLG.

(c) Creating a narrower focus for WNDC on delivering investment and regeneration working closely with partners.

- The future role of WNDC should be redefined and refocused to deliver investment and regeneration, with a strong focus on delivering the new Northampton for the wider benefit of Northamptonshire.
- Investment priorities should be clearly aligned to the Joint Core Strategy and Development Plan Documents within the Local Development Framework.

- Investment priorities should secure a balance between short term immediate delivery and medium/long term investment to secure future infrastructure to sustain delivery of new jobs, new homes and new facilities.
 - This review should kick start the transformation of WNDC from its current statutory basis to a non-statutory partnership driven by shared objectives and backed by HCA and CLG and regional agencies or their successor bodies.
 - If Northampton is not to be left behind by the pace of change and regeneration, then the necessary changes need to be in place within 18 months.
- (d) Changing the boundaries of WNDC's operational area and its functions within those boundaries so that for its revised purpose (rather than for planning purposes) WNDC is responsible across West Northamptonshire.**
- With the exception of planning powers, which should be returned to the local planning authorities, the boundary for WNDC should be extended to cover the whole of West Northamptonshire.
- (e) Introducing democratic accountability to WNDC, for example by allowing Northampton Borough Council Councillors, as Board Members, are able to sit on WNDC's Northampton Planning Committee, and ensuring that nominations of councillors to the Board of WNDC are appointed by their own Council.**
- WNDC has suffered from a lack of local legitimacy. This has been in part due to the disconnection between local democratic bodies and WNDC. It is therefore proposed that nominations should be made direct to WNDC by the local authorities, whilst also accepting the value of independent voices on the WNDC Board. The proscription of local members from sitting on the Planning Committee for their own area should be immediately lifted ahead of such powers being transferred back to the local planning authorities.
- (f) Implementing a managed and speedy transfer of WNDC's planning powers back to Northampton Borough and the other planning authorities through the cancellation of the relevant Statutory Instrument.**
- It is a major distraction to WNDC to be dealing with minor planning matters, particularly within Northampton Town Centre. Planning powers should be returned on a phased basis, starting with the Town Centre, then moving to other minor and small major applications, then strategic (large major) applications over an 18-month period in total.
- (g) Ensuring that WNDC maintains a clear focus on Infrastructure funding and delivery.**
- Through this process of change, WNDC can focus on its prime task – that of delivery, supported by the local authorities, CLG, HCA and EMDA. It is particularly important to Northampton that WNDC has a prime focus on delivering the new Northampton, but we recognise for practical reasons that the whole of West Northants needs to be included. It is therefore important that

WNDC delivers not just for Northampton but also for Towcester, Daventry, Brackley and other settlements and areas.

- The delivery of infrastructure is a pre-requisite of being able to deliver growth in West Northants and Northampton. We need a focussed, slim and effective local delivery vehicle which is overloaded with roles that should be performed by the local authorities working within the overall partnership.

(h) Enabling the development at local level, backed by CLG, HCA and EMDA, of mechanisms and processes for joint delivery of major projects, between the partner local authorities, including the sustainable urban extensions required to deliver growth.

- It is by delivering a better focussed WNDC with local legitimacy and accountability that stronger progress can be delivered on the ground. This can also be enhanced by more effective partnership working.
- The creation of the Public Service Board, under which sits a Regeneration and Growth Board, provides oversight of delivery across the County.
- Through the West Northamptonshire Joint Strategic Planning Committee a common and shared vision for West Northamptonshire is being developed in the Local Development Framework. The emerging Joint Core Strategy is currently out to consultation.
- Through the Single Conversation in West Northamptonshire this will be related to what needs to be delivered and how this will be achieved.
- WNDC needs to spearhead the delivery of major projects. Their role needs to be underpinned and actively supported by effective working mechanisms agreed by partners.

Urban Development Corporations' Quinquennial Review Consultation

www.communities.gov.uk
community, opportunity, prosperity

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Summary of consultation

Scope of the consultation

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| Topic of this consultation: | Three Urban Development Corporations (UDCs) were established in 2004/5 as the most appropriate delivery bodies for securing regeneration and sustainable growth in their areas. We are now undertaking a Quinquennial Review of the UDCs. This consultation forms a part of that review. |
| Scope of this consultation: | The review is examining the future of the UDCs, in the light of what they have achieved since they were established; whether changes locally or regionally affect the continuing need for a UDC; the impact of the changing national context, particularly the establishment of the Homes and Communities Agency; and whether greater freedoms might enable the UDCs to operate more effectively. |
| Geographical scope: | East London (London Boroughs of Barking and Dagenham, Hackney, Havering, Newham, Tower Hamlets, Waltham Forest) Thurrock West Northamptonshire (Northampton, Daventry and Towcester) |
| Impact Assessment: | <p>Full Regulatory impacts assessments were published for each UDC prior to their establishment and are republished with this consultation document. We welcome comments on whether the establishment of each UDC has achieved its intended effect. An updated impact assessment will be published following the consultation and the outcome of the Quinquennial Review.</p> <p>Previous RIAs can be found through the links below: London - http://www.communities.gov.uk/archived/general-content/citiesandregions/sustainablecommunities/londonthamesgateway/ WNDC - http://www.communities.gov.uk/archived/general-content/citiesandregions/sustainablecommunitiesaudcforwes/westnorthamptonshireudc/ Thurrock - http://www.communities.gov.uk/archived/general-content/citiesandregions/communitiesurbandevlopmentcorpo/regulatoryimpactassessment/</p> |

Basic information

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| To: | The UDCs affected, and their staff Local authorities in the UDCs areas Local organisations and members of the public in the UDCs areas |
| Body/bodies responsible for the consultation: | Communities and Local Government is responsible for the UDC Quinquennial Review, and this consultation. |
| Duration: | The consultation begins on 22 June 2009. The consultation ends on 18 September 2009. |
| Enquiries: | Gillian Severin Communities and Local Government Zone 3/A1 Eland House Bressenden Place London SW1E 6DU Telephone: 020 7944 2406 UDConsultation@communities.gsi.gov.uk |
| How to respond: | Please send or email responses to the enquiry address above by close of business on 18 September 2009. |
| Additional ways to become involved: | If you require this material in an alternative format, please contact us at the enquiry address above. |
| After the consultation: | The outcome of the Quinquennial Review will be determined as soon as possible after the consultation ends. A copy of the announcement will be sent to all respondents. |
| Compliance with the Code of Practice on Consultation: | This consultation is fully compliant with the Code of Practice on Consultation. The full Code of Practice can be found through the below link http://www.berr.gov.uk/whatwedo/bre/consultation-guidance/page44420.html |

Background

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| Getting to this stage, including previous engagement: | Communities and Local Government has considered the broad terms, scope and approach to the Quinquennial Review. The outline, but not the detailed questions, has been shared with the UDC Boards who have had the opportunity to comment. |
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1 INTRODUCTION

1.1 Purpose of consultation

1.1.1 The Government established three Urban Development Corporations (UDCs) in the London and Thurrock parts of the Thames Gateway and in the West Northamptonshire part of the Milton Keynes South Midlands (MKSM) Growth Area in 2004/5. At the time of their establishment the Government committed to reviewing the UDCs after five years. The Quinquennial Review of the UDCs, now beginning, fulfils that commitment. This consultation forms part of the review and will be taken into consideration by ministers in reaching their conclusions.

1.1.2 The review is considering in each case:

- whether the UDCs have fulfilled the rationale for establishing them, and how well they have performed, including progress against the targets they were set, since they were established;
- whether changes locally or regionally affect the continuing need for a UDC, or the extent of its powers;
- the impact of the changing national context, particularly the establishment of the Homes and Communities Agency;
- efficiency, in the light of the Government's Operational Efficiency Programme¹ which is looking at achieving greater efficiencies in a number of cross-cutting areas, including back office operations and IT, and collaborative procurement;
- whether there are obstacles that if removed, or greater freedoms that if given, would enable the UDCs to operate more effectively.

1.1.3 As a part of the review, ministers want to know stakeholder views on these matters. This consultation forms a part of the Quinquennial Review. Views are invited on particular questions and will be taken into consideration by ministers when considering the way forward.

¹ *Operational Efficiency Programme: Final Report* (HM Treasury, 21 April 2009) can be found at http://www.hm-treasury.gov.uk/d/oep_final_report_210409_pu728.pdf

- 1.1.4 This consultation paper sets out the rationale for the establishment of the UDCs, describes the changing national context, options for the future, and explores specific issues for each of the Corporations at this time.
- 1.1.5 In addition to the responses to this consultation exercise, ministers will also be taking into consideration the successes of the UDCs in establishing a clear regeneration framework and vision for their work, success in implementing key projects, performance in handling planning applications and overall cost effectiveness and value for money.

The Government believes that the situation of each Corporation is very different, as shown in chapters 3 - 5. It is therefore carrying out its review in such a way as would allow different decisions about the future for each Corporation. Respondents to the consultation are asked, therefore, to make clear in their response whether they are commenting *generally* on the Corporations, or *specifically* in relation to a particular Corporation.

Response to consultation

- 1.1.6 This consultation paper invites your views on the specific questions set out (and summarised in section 6), which cover:
- the future of the Urban Development Corporations, taking into account what has happened locally since they were established, and changes in the national context;
 - whether the powers of the Urban Development Corporations should be changed.
 - the progress of the Urban Development Corporations to date.

- 1.1.7 Responses to this consultation paper should be sent to:

Gillian Severin
Communities and Local Government
Zone 3/A1
Eland House
Bressenden Place
London
SW1E 6DU

UDConsultation@communities.gsi.gov.uk

- 1.1.8 Responses should reach the Department no later than 18 September 2009.

1.1.9 Representative groups are asked to give a summary of the people and organisations they; represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

1.1.10 A copy of this document will also be made available on the internet at:

www.communities.gov.uk

Confidentiality and data protection

1.1.11 Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

1.1.12 If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

1.1.13 The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

2 URBAN DEVELOPMENT CORPORATIONS: THE RATIONALE FOR THEIR ESTABLISHMENT

Sustainable Communities: Building for the Future

- 2.1.1 In February 2003, the then Office of the Deputy Prime Minister published the action plan *Sustainable Communities: Building for the Future*², (the Sustainable Communities Plan), an action plan for a step change in delivering housing to address the problems of affordability and to create successful, thriving and inclusive communities. To accommodate the economic success of London and the wider South East and to sustain the international competitiveness of the region, the plan identified four 'growth areas' as the focus for housing and economic growth: the Thames Gateway, Ashford, Milton Keynes-South Midlands and London-Stansted-Cambridge-Peterborough.
- 2.1.2 The plan included a commitment in these growth areas to set up strengthened local delivery vehicles where necessary with the powers to drive forward development and the investment, both public and private, it required. It recognised that in certain locations with clear regeneration needs and large scale or particularly difficult sites, the funding, singular focus and special powers of a statutory UDC would be required to deliver the necessary change and maximise private investment. Other delivery vehicle models across the growth areas include local authority partnerships, companies limited by guarantee, Urban Regeneration Companies, and in Milton Keynes a statutory Urban Development Area.
- 2.1.3 The plan indicated this approach would be needed in the London and Thurrock parts of the Thames Gateway growth area. The first report on implementing the plan³ accepted local partners' proposal for a UDC for the West Northamptonshire part of the Milton Keynes South Midlands growth area.
- 2.1.4 Each UDC was established only after full public consultation and detailed Parliamentary scrutiny and approval of the proposals.

² ODPM, *Sustainable Communities: Building for the Future*, 2003

³ ODPM, *Creating sustainable communities: Making it happen: Thames Gateway and the Growth Areas*, 2003

The Role of a UDC

2.1.5 The statutory objective and powers of a UDC are set out in section 136 of the Local Government, Planning and Land Act 1980. A UDC's objective is to secure the regeneration of its area. This is to be achieved in particular through:

- Bringing land and buildings into effective use
- Encouraging the development of existing and new industry and commerce;
- Creating an attractive environment; and
- Ensuring that housing and social facilities are available to encourage people to live and work in the area.

2.1.6 For the purpose of achieving the regeneration of its area, a UDC may

- Acquire, hold, manage, reclaim and dispose of land and other property;
- Carry out building and other operations;
- Seek to ensure the provision of water, electricity, gas, sewerage and other services;
- Carry on any business or undertaking for the purposes of regenerating its area; and
- Generally do anything necessary or expedient for this purpose, or for purposes incidental to those purposes.

2.1.7 UDCs were set up as limited-life bodies. It is important that they focus on achievement within a clear timescale rather than regarding themselves as having an open-ended remit. Typical life spans for past UDCs have been seven to ten years. This gives them sufficient time to develop and implement a strategy to tackle the complex land assembly problems in the area.

Consultation

2.1.8 In consulting on the establishment of the UDCs in London, Thurrock and West Northamptonshire, the government set out in more detail the rationale for their establishment.

2.1.9 In both the Thames Gateway and the Milton Keynes South Midlands growth areas, it was recognised that different arrangements for delivery were appropriate in different locations. In what are now the London, Thurrock and West Northamptonshire UDC areas,

“... the scale and intensity of the task of land assembly and site preparation are more suited to a UDC with its focus, planning powers, integration of regeneration effort and ability to generate increased private investor confidence...”⁴

Subsequent developments

2.1.10 Much has happened in the five years since the UDCs were established. Of greatest significance is the current recession, which is impacting appreciably on the UDCs current Corporate and Business Plans. Another significant development is the creation of the Homes and Communities Agency (HCA).

2.1.11 The Homes and Communities Agency is the national housing and regeneration delivery agency for England. Its role is to create opportunity for people to live in high quality, sustainable places. It provides funding for affordable housing, bringing land back into productive use and improving quality of life by raising standards for the physical and social environment. From 1 December 2008, HCA took responsibility for the Thames Gateway and growth areas programmes formerly operated by Communities and Local Government.

2.1.12 In the Thames Gateway, the HCA has a wide remit. It is responsible for “securing delivery of the Government’s Thames Gateway ambitions”, including sustainable economic growth, an enhanced residential offer, and the establishment of the Thames Gateway as an eco-region. CLG’s role is now responsible for the definition of the Government’s ambitions for the Thames Gateway, the coordination of the work of Government departments in support of achieving Government’s Thames Gateway ambitions and the sponsorship of the two Thames Gateway UDCs.

2.1.13 Given these different roles, CLG and HCA have entered into a Memorandum of Understanding in relation to the Thames Gateway under the provisions of which:

- the UDCs’ programmes are expected to be consistent with the HCA’s strategy and programme for the Thames Gateway as a whole;

⁴ ODPM, *Sustainable Communities: An Urban Development Corporation for The London Thames Gateway*, 2003; ODPM, *Sustainable Communities: An Urban Development Corporation for West Northamptonshire*, 2004

- the HCA manages the overall Thames Gateway budget, and gives advice to CLG on the UDCs budgets and the management of this in-year;
- the HCA gives strategic and technical advice to CLG on approval of projects that are above the UDCs' own delegated authority but within their approved Corporate Plans.

2.1.14 In the other growth areas the HCA leads on supporting local authorities and delivery partners on delivery on the ground, making Growth Fund payments in line with ministerial allocations, and providing advice on programme priorities and delivery, best practice sharing, capacity building, and supporting work with local stakeholders to address local barriers to housing growth. Local delivery vehicles continue to co-ordinate and take forward local delivery plans working in partnership with local authorities and the HCA.

Options for the future

2.1.15 The Government considers that for each UDC there are a range of different options for the future. Most obviously, since the UDCs are deliberately limited life bodies, a UDC could be retained for the remainder of their planned lifespan. Alternatively, a UDC could be dissolved. If dissolved, there are a range of successor institutional models that could be adopted.

2.1.16 Options for the future therefore include:

- **Option 1 – No change** Given the stage reached in their work, and their plans for the future, the UDCs could continue in their current form, with no change planned for the remainder of their respective life spans.
- **Option 2 – UDC becomes an agent of the HCA** The UDCs could be appointed by the HCA to act as its agent in the UDC area, for all or some of the HCA's functions. This would extend the work of UDCs, covering regeneration of land and provision of infrastructure, social housing provision, etc.
- **Option 3 – Return Powers to Local Authorities** The UDCs could be dissolved with the relevant local authorities resuming powers and responsibilities transferred to the UDCs, with the Homes and Communities Agency assuming responsibility for assets and for supporting the local authorities in delivering their regeneration and growth plans as part of the 'single conversation'⁵ process.

⁵ The 'single conversation' is HCA's business model. More details can be found at <http://www.homesandcommunities.co.uk/singleconversation.htm>

- **Option 4 – New form of Delivery Mechanism** The UDCs could be dissolved but with a new form of delivery mechanism put in place. Some possible options include:
 - **Option 4a – HCA Sub-Committee** – The UDCs could be dissolved, but with the HCA being designated as the planning authority (in relation to development control) for the area. This is similar to the model that is used to support delivery in Milton Keynes. Designation of the HCA as planning authority would be subject to Parliamentary approval.
 - **Option 4b – HCA Company** The HCA could establish a company to succeed the UDCs and to which their assets would be transferred.
 - **Option 4c – Economic Development Company** Establishing a non statutory Economic Development Company to support the local authorities in delivering their regeneration and growth plans.

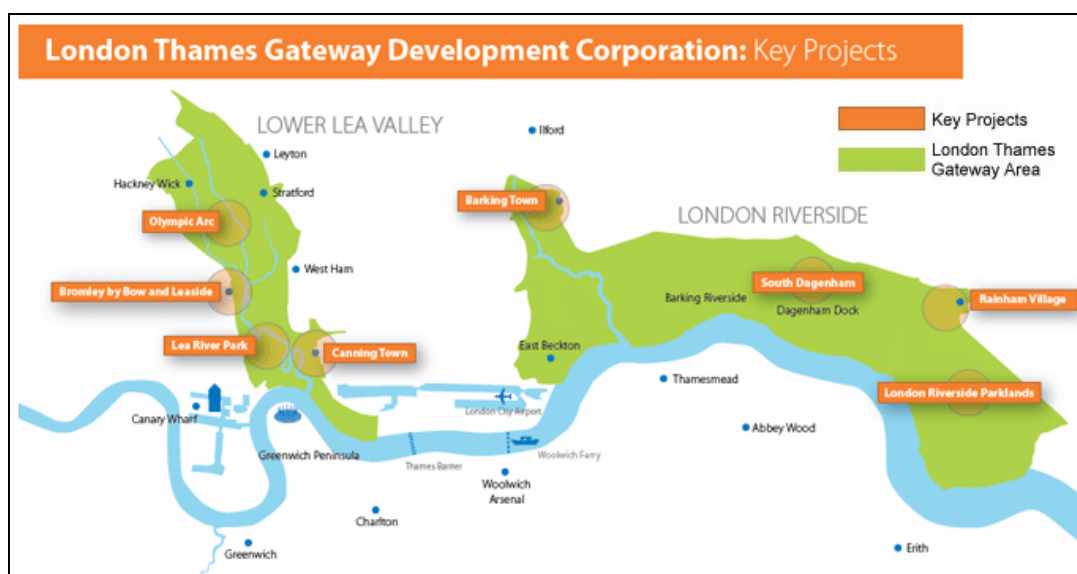
If dissolved, the planning powers of a UDC would cease. However, planning powers could be conferred on the HCA if required.

2.1.17 We invite views on the applicability of any of these options, or others that stakeholders wish to propose, to each UDC in the chapters that follow.

3 LONDON THAMES GATEWAY DEVELOPMENT CORPORATION

History

- 3.1.1 The London Thames Gateway Development Corporation (LTGDC) was established on 26 June 2004⁶, its Board appointed on 1 November 2004, and it became fully operational when planning powers were transferred to it in October 2005. In its response to the consultation on establishing a UDC, the Government said that LTGDC should initially be established for ten years, with full review after five years.
- 3.1.2 The LTGDC operates in two non-contiguous parts of East London: the Lower Lea Valley and London Riverside.



- 3.1.3 The Lower Lea Valley stretches from the 2012 Olympic Games site at Stratford, south to the River Thames. It is bounded by Hackney Wick and Hackney Marshes to the north and extends eastwards from the A12 to the rail line between Stratford and Canning Town. The area is home to some of the most deprived communities in the UK and has been identified as the inner London area with the greatest potential for regeneration – it is estimated that 25% of London's growth will take place in this area. The successful 2012 Games and Stratford City development will act as a driver for investment over

⁶ by the London Thames Gateway Development Corporation (Area & Constitution) Order, S1642/2004

the next 30-40 years. The former Mayor of London's Opportunity Areas Planning Framework, adopted in February 2008, anticipated 40,000 new homes and 50,000 jobs in the area.

- 3.1.4 London Riverside, downstream of the Thames from the Lower Lea Valley, takes in Beckton in the west, Barking and South Dagenham, and Rainham in the east. Here, a modern linear city is planned to be created, reinvigorating 30km of neglected Thames frontage. Ultimately, a new community of 20,000 people will live on 210 hectares of currently disused land. The emphasis will be on bringing a new quality of life appropriate to the twenty-first century. Well located schools and health centres will serve new and existing residents, while the new parklands will be biggest new leisure area in the capital for more than a century, attracting around one million visitors each year.
- 3.1.5 Since LTGDC was established, total capital spend from set up to end 08/09 was £133.5m, of central government funding to ready sites for development in key locations in both the Lower Lea Valley and London Riverside. It has a further £80m of central government funding for the period 2009-11.

Key achievements over the last five years

Lower Lea Valley

- Delivered a comprehensive masterplan for Canning Town and Custom House in partnership with the London Borough of Newham which will see the delivery of 10,000 new homes and a new town centre
- Led on securing £18m CIF funding and the subsequent planning consent for the removal of the A13 roundabout at Canning Town and remodelling of the traffic layout to improve pedestrian connections
- Key partner in the establishment of the National Skills Academy for Financial Services with Tower Hamlets College
- Delivered a vision for the Lea River Park which includes new parkland, walkways and bridges along the Lower Lea from the Olympic Park to the river Thames
- Key partner in delivering the £24m Prescott Lock which enables the Lea River to support leisure activities and allow commercial water freight to service the construction of the Olympic venues
- Led work on masterplanning the areas around the Olympic Park to ensure appropriate integration with the park and has been working closely with the Olympic Delivery Authority, the LDA and the five host boroughs on legacy planning for the Olympic Park.

London Riverside

- Led on the preparation of a strategic masterplan for the River Roding area of Barking which has identified potential for up to 4000 new homes
- Acquired five parcels of land at Abbey Road, Barking forming the first phases of a new Creative Industries Quarter. As part of phase 1 we have refurbished the historic Malthouse building which is now occupied by a range of arts companies and artists
- Supported the London Borough of Barking and Dagenham in the delivery of the award winning Town Square development. Investment by LTGDC has assisted with site assembly and ensuring a high quality public realm.
- Assembled over 40 acres of land at Dagenham Dock which will form the first phase of the London Sustainable Industries Park (SIP). The park will provide land and accommodation for Environmental Technology businesses and act as a focus for the development of a Green Technology sector in east London. The first occupier, Closed Loop Recycling opened in June 2008. Terms have been agreed that will see construction of a 20,000 sq. metre energy-from-waste facility under construction by Summer 2010.
- In partnership with the London Borough of Barking and Dagenham and the LDA, LTGDC has lead of the delivery of a comprehensive masterplan for South Dagenham and Chequers corner which identifies potential for up to 3000 new homes together with a new school. LTGDC has acquire the former Dagenham Motors showroom to assist in bringing forward this development
- In partnership with London Borough of Havering LTGDC has delivered comprehensive masterplans for Rainham Village Centre and the adjoining A1306 corridor. These will now be adopted as supplementary planning guidance by LBH and make provision for over 3200 new homes together with business and education space.
- LTGDC has acquired the former Carpetright warehouse site on the A1306 and leased part of the site to Havering College who will open a Construction Skills Training Centre in September 2009. Terms have also been agreed for Havering College to acquire 5 acres at the site to develop a College Campus. A planning application for a 10,000 sq. metre college was submitted in May and it is expected that a start on site will be made during 2010.
- LTGDC with partners has delivered a vision for 'Wildspace' a new parkland on acres of land owned by the RSPB, LBH and Veolia. LTGDC grant funding has supported an award winning new visitor centre, marshland discovery zones and new paths and bridges opening up the area to the local population and visitors and providing accommodation for education projects.

Other achievements

- Established comprehensive regeneration frameworks for each area which set out clear visions and costed infrastructure requirements for the delivery of 68,000 homes and 70,000 jobs
- Established projects to support over 20 schools striving for enhanced standards of excellence or extended employer engagement
- From October 2005 to end of March 2009 the LTGDC granted planning permission for 9,238 homes (24% affordable) and employment space that is calculated to deliver 9,569 jobs
- The LTGDC has taken a number of strategic planning decisions which are often controversial and require significant resourcing and support e.g. KICC application in Havering
- While not a plan making body the Corporation plays an active role in helping boroughs to produce the various documents for their LDF process. Being involved in drafting and funding key documents such as an AAP for Barking Town Centre, on an AAP for Stratford and the Lower Lea Valley and a Land Use and Design Brief for Bromley by Bow.

Question 1: How successful has LTGDC been in securing the regeneration of its area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 2: How successful has LTGDC been in assembling land and preparing sites for development?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 3: How successful has LTGDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 4: How successful has LTGDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

The future

3.1.6 In the light of the history of LTGDC, developments since it was established (set out in section 3.1.5 above), the Government now invites stakeholder views on the future of LTGDC. The Government's approach is that delivery arrangements should best reflect local circumstances, with no 'one size fits all' approach.

Question 5: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in the Lower Lea Valley and London Riverside?

- *Option 1*
- *Option 2*
- *Option 3*
- *Option 4*
- *None of these - an alternative option (please describe)*

Question 6: If you have selected Option 4, which of the following options would best meet local circumstances?

- *Option 4a*
- *Option 4b*
- *Option 4c*
- *None of these - an alternative option (please describe)*

3.1.7 The consultation on establishing the UDC proposed to transfer certain planning powers to it. In its response, government confirmed that LGTDC would be the local planning authority for strategic planning applications directly relevant to its purpose (ie applications concerning more than 50 dwellings or 2,500 sq m of business floor space etc) within its area⁷. Planning functions were transferred to LTGDC on 31 October 2005⁸. The Mayor of London and the London Boroughs retained plan-making powers, against which planning applications are determined.

Question 7: Do the LTGDC's planning powers need to be modified (in so far as the current law allows) in the light of experience? If so, in what way(s)?

3.1.8 Since LTGDC was established, in addition to the general changes in circumstances set out in section 2.1.10 – 2.1.14, there have been two local developments of organisational significance to LTGDC.

The Homes and Communities Agency London Board

3.1.9 On the establishment of the HCA, it established the HCA London Board, recognising that it is the only region in which there is directly elected regional government. The HCA London Board promotes the delivery of housing and regeneration and associated infrastructure in London, having regard to the London Housing Strategy, the London Economic Development Strategy, the London Plan and other associated strategies, together with relevant national policies and directives. It will oversee and direct the programme of the HCA in London. It is critical that the work of the LTGDC is aligned with that of HCA in London, and therefore the strategic direction of the HCA London Board.

3.1.10 That alignment is achieved through:

- the arrangements for HCA to advise CLG on the LTGDC's plans (see paragraph 2.1.13); and
- the Chair of the LTGDC being a member of the HCA London Board.

Question 8: Are the arrangements already made to ensure alignment of the work of LTGDC and HCA in London sufficient? If not, what further arrangements should be put in place?

⁷ excepting the Olympic Park and Stratford City sites the planning powers in relation to which now lie with the Olympic Delivery Authority (see The Olympic Delivery Authority (Planning Functions) Order 2006 (SI2006/2185) and the London Thames Gateway Development Corporation (Planning Functions) (Amendment) Order 2006 (SI2006/2186))

⁸ by the London Thames Gateway Development Corporation (Planning Functions) Order 2005 (SI2005/2721)

Olympic Park Legacy Company

3.1.11 More recently, the Mayor of London and the Government have announced their intention to establish the Olympic Park Legacy Company (OPLC), responsible for the redevelopment and regeneration of the Olympic Park. At the heart of the project is the creation of new communities centred on the Olympic parkland and venues, in an area within one of the two LTGDC areas. It will be critical to the success of the OPLC that its work and that of LTGDC dovetail together.

3.1.12 The foundations for this have been laid through the partnership planning the legacy programme that, prior to prior to OPLC becoming operational, has been co-ordinated by the London Development Agency (LDA). This partnership already includes all the key public sector bodies, including the London Thames Gateway Development Corporation. But whether, once OPLC becomes operational, there should be more a formal relationship between it and LTGDC – such as a memorandum of understanding – will be considered further as the work to establish the company proceeds. In the meantime stakeholder views are invited on this in the context of the Quinquennial Review.

Question 9: Should the London Thames Gateway Development Corporation have a formal relationship with the OPLC? If yes, is a Memorandum of Understanding the best way to establish such a relationship?

- the M25 London orbital motorway, including the Thurrock - Dartford crossing;
 - the A13 arterial trunk road (London to south Essex)
 - fast passenger rail to London (from Purfleet 30 mins) ;
 - freight from the South Essex ports cluster to the rest of the country.
- 4.1.5 Thurrock has the potential to significantly enhance its role as an important centre for international trade and enterprise. There are also extensive brownfield sites along Thurrock's riverfront which provide some of the greatest residential, commercial and industrial development opportunities in the country. However, Thurrock has a wide range of complex land-use and land assembly problems that currently constrain housing and economic growth. In essence, the narrow economic base and low value economy constrain what can be achieved in one of the most acutely deprived areas of South Essex, without focused intervention.
- 4.1.6 Since TTGDC was established, it has invested around £86m of central government funding to acquire and ready sites for development in key locations throughout Thurrock. It has a further £60m of central government funding for the period 2009-11.

Key achievements over the last five years

Establishing a Policy Framework

- approved its Regeneration Framework and Spatial Plan for Thurrock providing a clear land use policy framework to guide and influence the regeneration and development of the borough;
- approved Master Plans for Purfleet, Grays Town Centre, Lakeside and West Thurrock, Aveley & South Ockendon and East Thurrock
- drafted and consulted on Master Plans for South East Thurrock, (Tilbury, Chadwell St Mary, East Tilbury, Linford), and North Grays (open land to North and East of Grays town).
- Completed Development Briefs for three areas of Grays Town Centre (North, South and Riverside) and preparing development briefs for Purfleet Town Centre and West Thurrock Riverside.
- completed and approved the preparation of an Economic Development Strategy and Implementation Plan for Thurrock focusing on indigenous growth, sector diversification and inward investment. The strategy builds on the Corporation's land use policy framework directing interventions to secure jobs and business growth within the Corporation's five economic hubs;

- commissioned and co-funded the development of a Sports and Active Recreation Facilities Strategy and Implementation Plan to inform key decisions on the future provision of sports and active recreation facilities across the borough.

Policy Delivery

- established a partnership with the Royal Opera House, Thurrock Council, the Arts Council England East and the East of England Development Agency to bring the Royal Opera House fabrication facility and its costume archive to Purfleet. As part of this project partners are also working with the Sector Skills Council for Creative and Cultural Skills to secure for Purfleet the development of a National Skills Academy for the performing arts and live music sectors. The Learning and Skills Council has approved the business plan for the Academy. This is a £60m public sector led project and will become a Gateway exemplar of arts and culture led regeneration;
- awarded grant funding in excess of £4 million in support of transport and social infrastructure projects including the development of a new roundabout at Stonehouse Corner in Purfleet, a major extension to Thurrock's cycle network and a cyber café and improved classroom facilities at the Thurrock Adult Community College;
- in partnership with the learning and skills sector commissioned and co-funded the preparation of a comprehensive Post 14, FE/HE, Community Education and Workforce Development Strategy which is now being used to inform key decisions on the future provision of Thurrock's learning services and the location of important new learning infrastructure. The approach taken by the Corporation and its partners has secured Learning and Skills Council funding of £100m which has been ring fenced to support the proposed development of a new Learning Campus in Grays Town Centre and incorporated land use proposals for the new facility within the emerging Grays Town Centre Master Plan and Southern Quarter Development Brief. To build capacity for the new learning campus a temporary facility of was constructed in Grays Town Centre. The Corporation granted £228,000 towards the new Centre of Vocational Excellence in IT at the new
- facility, which opened in January 2009 and has already attracted over 100 students.
- established the Corporation's Community Development Fund for small scale voluntary and community sector projects to develop stronger links and relationships with local communities whilst the Corporation's major projects are being assembled. The Corporation has distributed £588,000 to over 100 groups since its creation. The recipients are involved in a variety of kinds of activity that will help to further the achievement of the Development Corporation's regeneration goals. The beneficiaries are all local and the grants

have supported sports and leisure activities, community premises improvements, health and welfare pursuits and environmental heritage projects. Over £1,000,000 of additional funding has been brought to projects as a direct or indirect result of the Community Fund.

- The Corporation granted over £1.8m to help develop the RSPB Nature Reserve on the Rainham Marshes and also helped fund the award winning RSPB Visitor Centre;
- The Corporation awarded £292,000 to the Corringham Fire Station Community Safety Centre, which housing advanced youth and fire break activities, including the highly successful Firebreak scheme where fire fighters act as community role models and mentors to support young people who have “lost their way” in life.
- The Corporation awarded a total of £990,000 (£250,000 disbursed in 2008/09) to Thurrock Council towards the West Thurrock Civic Amenity Site, which will provide new recycling and re-use facilities in the Borough, this facility is set to open in Autumn 2009.

Strategic Land Acquisition

- The Corporation has acquired 36.5 hectares of land and currently has a further 51.9 hectares under negotiation on which it needs to start its planned programme of strategic interventions. In addition, the Corporation has under option through either Option Agreements, Joint Venture Agreements or Equitable Interests a further 116.5 hectares in its control. The land acquisition effort is of particular importance as the Corporation was established without any land asset base and sufficient additional funding or the ability to raise it on the market must be provided in the near future to enable this work to continue;
- as part of its PRiDe initiative the Corporation has acquired approximately 15.73 hectares of land in Botany Way Quarry in Purfleet and a further 8.8 a hectares on Purfleet Waterfront in order to deliver against the land use and regeneration objectives of its Purfleet Master Plan and evolving Purfleet Centre Development Brief. This initiative will create a new residential and mixed use centre for Purfleet and will secure the provision of new social infrastructure including: a new three form entry primary school; health and social care facilities; new and improved public open space; and improvements to the local transport network. On completion this initiative will provide circa 3,000 new homes and over 1,000 jobs;
- acquired land at Tilbury that will assist the Corporation in its ambition to relocate some commercial and industrial activity away from planned and established residential communities in Thurrock;
- secured the last and most important major riverside site (9.6 hectares) for housing and commercial development on the western fringe of Grays Town

Centre in partnership with the East of England Development Agency and Family Mosaic Housing. A planning application is in process and the redevelopment of this site will provide circa 1200 new homes and establish a new community on the West Thurrock Thames Riverside;

- acquired land and initiated compulsory purchase proceedings to assemble a strategic site at Hogg Lane South in order to accommodate a New Generation Community Hospital. Located in close proximity to the town centre and its transport interchange this important new public infrastructure will provide a fully integrated 21st Century health and social care facility for the residents of Thurrock.
- acquired 2 sites on London Road in West Thurrock amounting to over 7 acres. These will fulfil the Lakeside and West Thurrock's Master Plan ambition to create a high quality residential led development in West Thurrock.
- Acquired the former Post Office in Grays High Street. This will create a Learning Shop facility in partnership with the University of East London and EEDA providing information, advice, guidance and training in order to improve post 16 education participation rates in Thurrock. Co-located will be a Business Support Centre with services to be provided by Business Link and Thurrock Enterprise Agency to support small and medium enterprises. This co-location will also exploit the synergies of improved learning and improved business performance.

Determining Planning Applications

- Since it acquired its planning powers on 12 October 2005, the Corporation has determined 194 planning applications generating consents for over 1,500 housing units and approximately 3,800 jobs on implementation and raising approximately £1.6 million in S.106 contributions towards local infrastructure. In 2008/09 the Corporation gave consent to developments that will provide over 1,400 homes and 1,050 jobs.

Question 10: How successful has TTGDC been in securing the regeneration of its area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 11: How successful has TTGDC been in assembling land and preparing sites for development?

- *Not at all successful*

- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 12: How successful has TTGDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 13: How successful has TTGDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

The future

4.1.7 Notwithstanding progress by TTGDC, much remains to be done to achieve by 2021 the goals set for Thurrock. The challenges remaining are significant:

- a narrow employment base
- low educational attainment and poor skills development
- poor quality of the built environment
- lack of investment in Thurrock's riverside and town centres
- areas of acute social deprivation
- comparatively low property values

4.1.8 In the light of the history of TTGDC, developments since it was established (as set out in section 3.1.5) and the outstanding needs of Thurrock the Government invites stakeholder views on the future of TTGDC. The Government's approach is that delivery arrangements should best reflect local circumstances, with no 'one size fits all' approach.

Question 14: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in Thurrock?

- Option 1
- Option 2
- Option 3
- Option 4
- None of these - an alternative option (please describe)

Question 15: If you have selected Option 4, which of the following options would best meet local circumstances?

- Option 4a
- Option 4b
- Option 4c
- None of these - an alternative option (please describe)

4.1.9 The consultation on establishing the UDC proposed to transfer certain planning powers to it. In its response, government confirmed that TTGDC would be the local planning authority for strategic planning applications directly relevant to its purpose (ie applications concerning more than 50 dwellings or 2,500 sq m of business floorspace etc) within its area. Planning functions were transferred to TTGDC on 12 October 2005¹⁰. Thurrock Borough Council retained plan-making powers, against which planning applications are determined.

Question 16: Do the TTGDC's planning powers need to be modified (in so far as the current law allows) in the light of experience? If so, in what way(s)?

4.1.10 There have been no locally specific changes of circumstance of organisational significance to TTGDC relevant to this consultation since it was established.

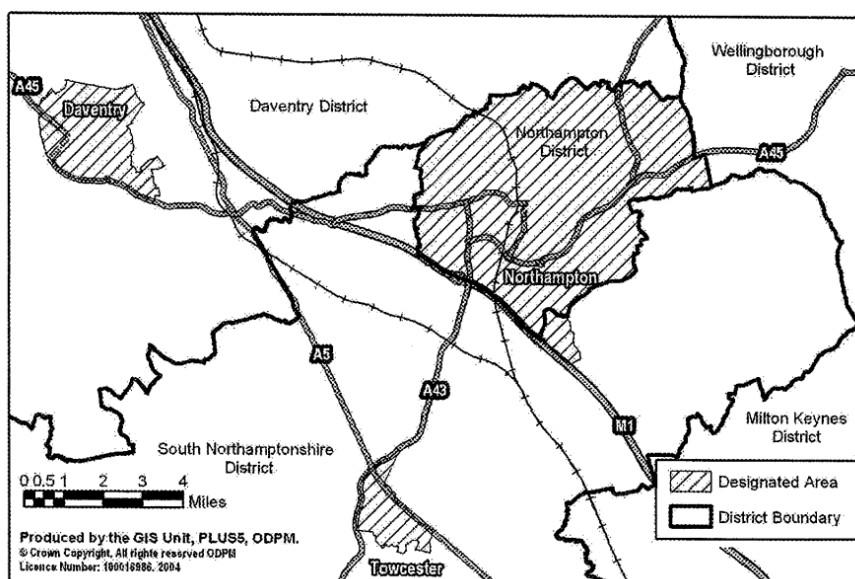
¹⁰ by the Thurrock Development Corporation (Planning Functions) Order 2005, which came into force on 12 October 2005 (SI2005/2572)

5 WEST NORTHAMPTONSHIRE DEVELOPMENT CORPORATION

Background

- 5.1.1 West Northamptonshire is part of the Milton Keynes South Midlands (MKSM) growth area. The MKSM Sub-Regional Strategy, published in 2005, identifies Northampton as an important sub-regional centre with new development to be delivered through a mixture of urban regeneration, intensification and development of new sustainable urban extensions. It also identifies Daventry and Towcester as areas for growth. The East Midlands Regional Spatial Strategy confirms a target of 62,150 dwellings in West Northamptonshire between 2001 and 2026.
- 5.1.2 The West Northamptonshire Development Corporation (WNDC) was established on 15 December 2004 and operates within three designated urban development areas in Northampton, Daventry and Towcester. At the time of its establishment development patterns indicated major opportunities for boosting the economic strength of Northampton and neighbouring centres in Daventry and South Northampton, with scope to create an enhanced urban environment and improve public infrastructure through regeneration and high quality design focussing on a series of town centre and urban fringe sites.

- 5.1.3 In its response to the consultation on establishing a UDC, the Government said that WNDC should initially be established for ten years, with full review after five years, and the scope to extend the lifespan beyond this time if substantial regeneration was still required.



Northampton will be transformed into a prosperous and dynamic regional city, with a growing knowledge economy. Daventry and Towcester will become distinctive market towns. West Northamptonshire will be better connected to regional, national and international markets, capitalising on its position at the centre of England.

WNDC's Vision

- 5.1.4 The consultation on establishing the UDC also covered the use of certain planning powers by the Development Corporation, and in its response Government confirmed that WNDC would be the local planning authority for strategic planning applications directly relevant to its purpose in the outer planning functions area - Northampton, Daventry and Towcester (ie applications covering more than 50 dwellings or 2,500 sq m of business floor space etc). In Northampton's central area (the central planning functions area), given its strategic importance to the county, WNDC is responsible for determining most applications relevant to its purpose, except for broadly 'householder' development. WNDC was given planning functions by the West Northamptonshire (Planning Functions) Order ¹¹ on 6 April 2006.

¹¹ SI 2006/616

- 5.1.5 The West Northamptonshire Joint Strategic Planning Committee was established in July 2008 to prepare joint local development documents and a joint local development scheme for the administrative areas of Northampton Borough Council, Daventry District Council and South Northamptonshire District Council. **This consultation document does not affect the Joint Strategic Planning Committee.** WNDC does not have development plan functions.
- 5.1.6 The Local Government, Planning and Land Act 1980 requires that UDCs have a chair, deputy chair and between 5 and 11 other members. The West Northamptonshire Development Corporation (Area and Constitution) Order 2004¹² establishes WNDC with a Board of 11 members, and a Chair and Deputy Chair, who are appointed by the Secretary of State. The role of the Board is to set the strategic vision for the UDC and to take the decisions required to deliver it. All appointments are made on merit following open competition, in line with the Code of Practice issued by the Commissioner for Public Appointments. Six of the appointments are nominated by the local authorities, two by Northampton Borough Council (with each belonging to different political groups), two by Northamptonshire County Council, and one each from Daventry District Council and South Northamptonshire District Council, but are still considered in line with the public appointments Code of Practice.

Progress

- 5.1.7 Since being established, WNDC has given planning approval for nearly 5,000 new homes and 400,000 square meters of commercial development, while securing over £21m in s106 contributions. WNDC has around 20,000 homes in live planning applications.
- 5.1.8 WNDC has developed a Planning Obligations Strategy setting out a preferred approach for agreeing developer contributions towards infrastructure costs. It has completed its first agreement securing £8.7m in s106 contributions for the 550 home Princess Marina Development. In June 2009 WNDC also launched a consultation on its Manual for Design Codes, which will assist applicants deliver design solutions that enhance the character, style and identity of existing places.

¹² SI 2004/3370

Infrastructure

- 5.1.9 Since WNDC's establishment it has invested around £45m of central government funding in infrastructure to deliver new homes and jobs, and has secured a further £32m of central, regional and European funding for the period 2009-11. This activity has levered nearly £140m additional investment from the public and private sector in Northampton, Daventry and Towcester.
- 5.1.10 WNDC are working with the local authorities and key partners such as the Homes and Communities Agency to finalise an Infrastructure Plan to sit alongside the emerging Joint Core Strategy – together forming an integrated blueprint for sustainable growth.

Northampton

- £30m redevelopment plans for Castle Station, with funding in place to start design and technical studies.
- Redevelopment of the Waterside in the town centre with WNDC progressing a master plan for mixed use development, and completing a number of key land acquisitions, with improvements to walking and cycle paths along the waterside.
- An improved pedestrian friendly town centre public realm from Black Lion Hill, through Marefair and Gold St, scheduled for completion by the summer.
- Completion of the Cross Valley Link Road and start of construction on the adjoining Sandy Lane Relief road, part funded by WNDC
- Over £7m invested in the Upton Flood Mitigation works, preparing the town for growth and ensuring it has some of the UK's leading flood defences.

Daventry

- Land and funding secured to deliver the iCon, an internationally important facility dedicated to delivering best practice in sustainable construction.
- Funding for an improved library facility for the town and plans for a new learning quarter to house further and higher education campuses.
- Funding to support design options for the Flore Weedon bypass, which will support the doubling of the town's population.

Towcester

- Redevelopment of Towcester town centre, providing new civic, commercial and community facilities in the heart of the town
- £2m invested to acquire strategic sites in the 'Moat Lane Area' to prepare the way for future development.

Community

- 5.1.11 WNDC has also established a £750,000 Stronger Communities Fund to support the activity of not for profit groups in growing communities and funded new community facilities at the Kings Park Youth and Conference Centre.

'Construction Futures' has been developed by WNDC with Northamptonshire Enterprise Ltd and the Learning Skills Council. It will use developer contributions to enable young people to receive practical construction skills training on new developments, alongside a tailored college programme.

5.1.12 WNDC'S Corporate Plan¹³ identifies its key outputs for the period 2008-11.

During the first half of the Corporate Plan period WNDC aims to determine a significant number of planning applications that, subject to approval, will enable West Northamptonshire's housing trajectory to be met. In the second half of the Corporate Plan period, the focus will be more on the delivery of infrastructure that enables planning approvals to be turned into real homes on the ground.

Consultation Questions

5.1.13 The Government's approach is that delivery arrangements should best reflect local circumstances, with no 'one size fits all' approach.

Question 17: How successful has WNDC been in securing the regeneration of its area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 18: How successful has WNDC been in assembling land and preparing sites for development?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 19: How successful has WNDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

¹³ <http://www.wndc.co.uk/pdf/WNDC%20Corporate%20Plan%202008%20to%202011b.pdf>

Question 20: How successful has WNDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 21: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in Northampton, Daventry and Towcester?

- *Option 1*
- *Option 2*
- *Option 3*
- *Option 4*
- *None of these - an alternative option (please describe)*

Question 22: If you have selected Option 4, which of the following options would best meet local circumstances?

- *Option 4a*
- *Option 4b*
- *Option 4c*
- *None of these - an alternative option (please describe)*

5.1.14 In its response to the consultation on establishing a UDC, the Government said that WNDC should initially be established for ten years, with full review after five years, and the scope to extend the lifespan beyond this time if substantial regeneration was still required.

Question 23: Is the assumption that WNDC should have a ten year lifespan still correct?

Yes
No

5.1.15 Giving UDCs development control powers allows them to deliver action quickly and effectively in areas of intended change.

Question 24: Do WNDC's planning powers need to be modified (in so far as the current law allows) in the light of experience? If so, in what ways(s)?

5.1.16 When Government consulted on establishing the UDC it only proposed one nominated appointment for each local authority to the WNDC Board. This was changed reflecting recommendations made by the House of Lords Select Committee¹⁴ that held an inquiry into the proposals to establish the UDC, reflecting concerns about local accountability. The Government believes that this level of local representation has been valuable, but believes that five years into the life of WNDC, it is right to review concerns about local accountability.

Question 25: Should the number of local authority nominated Board members remain unchanged?

Yes
No

5.1.17 Where the local authority nominated appointments to the Board are Councillors it would be possible for them to serve their full three year term on the Board even if they no longer represented the largest party on the council, or if they were no longer a member of the Council. This could impact on the local democratic accountability of the UDC, and the effective operation of the Board.

5.1.18 An "ex-officio" member can sit on a body because of the fact they hold another position (the primary post). Such ex officio members are not on the board (the second body) on a personal basis, but because of the other position they hold. If the holder of the "primary" post changes, then the ex officio representative on the second body changes to the new holder of the first post.

Question 26: Should provision be made for ex officio appointments to the Board?

Yes
No

¹⁴ House of Lords Select Committee on the West Northamptonshire Development Corporation (Area and Constitution) Order 2004,
<http://www.publications.parliament.uk/pa/ld200304/ldselect/ldwesnor/204/20403.htm>

6 SUMMARY OF QUESTIONS ASKED

Question 1: How successful has LTGDC been in securing the regeneration of its area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 2: How successful has LTGDC been in assembling land and preparing sites for development?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 3: How successful has LTGDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 4: How successful has LTGDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 5: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in the Lower Lea Valley and London Riverside?

- Option 1
- Option 2
- Option 3
- Option 4
- None of these – an alternative option (please describe)

Question 6: If you have selected Option 4, which of the following options would best meet local circumstances?

- Option 4a
- Option 4b
- Option 4c
- None of these – an alternative option (please describe)

Question 7: Do the LTGDC's planning powers need to be modified (in so far as the current law allows) in the light of experience? If so, in what way(s)?

Question 8: Are the arrangements already made to ensure alignment of the work of LTGDC and HCA in London sufficient? If not, what further arrangements should be put in place?

Question 9: Should the London Thames Gateway Development Corporation have a formal relationship with the OPLC? If yes, is a Memorandum of Understanding the best way to establish such a relationship?

Question 10: How successful has TTGDC been in securing the regeneration of its area?

- Not at all successful
- Fairly successful
- Very successful
- Unable to comment

Question 11: How successful has TTGDC been in assembling land and preparing sites for development?

- Not at all successful

- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 12: How successful has TTGDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 13: How successful has TTGDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 14: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in Thurrock?

- *Option 1*
- *Option 2*
- *Option 3*
- *Option 4*
- *None of these – an alternative option (please describe)*

Question 15: If you have selected Option 4, which of the following options would best meet local circumstances?

- *Option 4a*
- *Option 4b*
- *Option 4c*
- *None of these – an alternative option (please describe)*

Question 16: Do the TTGCS's planning powers need to be modified (in so far as the current law allows) in light of experience? If so, in what way(s)?

Question 17: How successful has WNDC been in securing the regeneration of its area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 18: How successful has WNDC been in assembling land and preparing sites for development?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 19: How successful has WNDC been in creating private sector confidence and maximising private sector investment?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 20: How successful has WNDC been in encouraging existing and new industry and commerce, creating an attractive environment and ensuring social facilities to encourage people to live in the area?

- *Not at all successful*
- *Fairly successful*
- *Very successful*
- *Unable to comment*

Question 21: Of the options set out in section 2.1.16, which option would best meet local circumstances and deliver the regeneration and sustainable housing growth planned in Northampton, Daventry and Towcester?

- *Option 1*

- Option 2
- Option 3
- Option 4
- None of these – an alternative option (please describe)

Question 22: If you have selected Option 4, which of the following options would best meet local circumstances?

- Option 4a
- Option 4b
- Option 4c
- None of these – an alternative option (please describe)

Question 23: Is the assumption that WNDC should have a ten year lifespan still correct?

Yes

No

Question 24: Do WNDC's planning powers need to be modified (in so far as the current law allows) in the light of experience? If so, in what ways(s)?

Question 25: Should the number of local authority nominated Board members remain unchanged?

Yes

No

Question 26: Should provision be made for ex officio appointments to the Board?

Yes

No

7 ABOUT THIS CONSULTATION

This consultation document and consultation process have been planned to adhere to the Code of Practice on Consultation issued by the Department for Business, Innovation and Skills and is in line with the seven consultation criteria, which are:

1. Formal consultation should take place at a stage when there is scope to influence the policy outcome;
2. Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible;
3. Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals;
4. Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach;
5. Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained;
6. Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation;
7. Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed these criteria? If not or you have any other observations about how we can improve the process please contact

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Department for Communities and Local Government

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