



**Article by Baroness Jo Valentine
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'Why does everything take so long?'

Why is it that in the UK, vitally important national infrastructure usually takes several decades to deliver? Why were there 25 years from concept to delivery for the 60 or so miles of high speed Channel Tunnel rail link on the UK side of the Channel, during which time France built a national high speed network? Why was it that thousands of residents of Kent had their property values blighted for a decade while arguments raged over the route, even when the need for it was uncontroversial?

Our planning system is the reason. If Noah had needed to go through our current planning procedures before commencing work on the ark – a crucial piece of 'infrastructure' in its day – Middle Eastern biodiversity would have suffered!

At best the planning system can work well, though anyone who has sought permission for a modest home extension, let alone a commercial development, knows that it can be slow and bureaucratic. It exists to reconcile the demand for more housing and commercial development with the needs and concerns of existing landowners and occupiers. But when it comes to nationally important infrastructure, our planning system simply isn't delivering for UK plc. How are we to respond to the demands of globalisation and international competitiveness, if our attempts to update infrastructure make progress at wounded-tortoise pace?

For instance, in the next 20 years, the UK must replace around a third of its electricity generating capacity. If it takes 25 years to grind through the planning processes for a new generation of power stations, there is every chance of power cuts and voltage dips before the new plant is constructed – with resultant catastrophic impact on businesses and homes.

The Planning Bill, which reaches report stage in the House of Lords on Thursday (4/11/2008), aims to streamline and improve planning, especially the regime for nationally significant infrastructure projects. Almost universally, business backs the Bill. Under its proposals, the Government will set out the case for infrastructure in National Policy Statements, which will only be adopted after proper public consultation and scrutiny in Parliament. Some policy statements will draw upon existing policies – it would be perverse to discard the learning and evidence gathered in previous policymaking. Nevertheless, the resulting National Policy Statements will be subject to proper consultation and parliamentary scrutiny.

The main reason that Heathrow's Terminal 5 spent so long in gestation was that the Government at the time left a policy vacuum. What should have been political issues were dealt with through a totally inappropriate quasi-legal process. The only beneficiaries from this were the lawyers. Although conceived several years behind Terminal 5, Hong Kong's whole new airport was planned built and opened well before Heathrow's new passenger terminal.

Developers will have to consult local communities and key stakeholders before they can submit applications for new or improved infrastructure developments. Nationally significant applications will be determined by an independent Infrastructure Planning Commission (IPC), subject to criteria set out in the National Policy Statements and mindful of local concerns.

There have been concerns in some quarters of a dilution in democratic accountability. But democratic accountability will be concentrated where it should be - on the national policy – as



is currently the case with Heathrow. The democratic process will be improved by having a clear statement of national policy which will be subject to public consultation and debate in Parliament.

It is a myth that, under current arrangements, Ministerial decisions following a public inquiry allow democratic accountability. The Secretary of State's role is quasi-judicial not political. What it means in practice is civil servants crawling over the Inspector's report to check that it is soundly based, but with very little scope to disagree with the findings. It would be improper and open to legal challenge if the Secretary of State discussed it with anyone else or took account of any information not included in the Inspector's report. So the Secretary of State's role takes up a great deal of time and adds very little value, as Barker and Eddington confirmed.

Elsewhere in the Bill is the proposal for a new Community Infrastructure Levy, to be raised from developers to support the funding of roads, bridges, hospitals or schools for which their development gives rise to a need. It is important that this levy is used for what is intended and doesn't become just another tax on developers. In today's market particularly, any increased attempt to squeeze more golden eggs from the property sector may throttle the goose altogether.

Decisions on major infrastructure almost always involve a trade-off between economic and social benefits and environmental and social costs. The debate over a third runway at Heathrow involves balancing the importance of maintaining London's competitiveness as a world city and the risk to the UK economy as a whole if its growth is stifled, against the extra noise and pollution it would generate. We need to be satisfied that the growth of air traffic can be accommodated within our overall climate change objectives. Similarly the advantages of nuclear power in terms of saving carbon emissions and secure domestic supply have to be weighed against accident risk and problems of disposing of radioactive waste.

These are real issues that should be subject to proper consultation, debate and democratic decision, subject to independent scrutiny. The debates will be fundamental and important. They need to be thorough and thoughtful. But they should not be restaged every time a new individual application is submitted. The process must not take forever. The present public inquiry system is exploited by determined objectors to delay decisions for as long as possible. While their views must be heard and their questions answered, they should not be able to impose a stalemate.

In future years, the *Planning Act 2008* may be looked back upon as a vital forward step in the UK's ability to plan and deliver the necessary infrastructure to support the UK's economic and social needs.

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