

PROPOSED NEW FOREST NATIONAL PARK: ARRANGEMENTS FOR PLANNING DEVELOPMENT CONTROL

1 Introduction

- 1.1 In January 2002 the Countryside Agency made the New Forest (Designation) Order and submitted it to the Secretary of State for Environment, Food and Rural Affairs (DEFRA). A public inquiry into objections to the Order was held, and in a recent speech Alun Michael, Minister of State for Rural Affairs and Local Environmental Quality, said: *"I expect to receive the Inspector's report on the New Forest in October. I shall then issue a formal decision letter as is normal following a planning inquiry. Depending on the nature and complexity of the Inspector's report, the decision letter will probably be available early in 2004."*
- 1.2 It is not possible to be certain how quickly the process of national park designation and the setting up of a New Forest National Park Authority will proceed, but the new Park and its administration could be in place and operative during 2005 if an early decision is taken by the Minister as indicated above. It is important that any decisions that NFDC wishes to make about how the new Authority might operate in the best interests of the New Forest, and about possible transition arrangements, are taken well before then. Similarly it is important that NFDC views on possible means of service delivery including partnership arrangements are communicated to DEFRA before the necessary Orders are made and ministerial advice is issued to the new Authority.
- 1.3 Portfolio Holders and Scrutiny Panels will wish to consider the implications for various current functions carried out by NFDC. However, the principle statutory function that will be affected is Town and Country Planning, because the National Park Authority will become the Local Planning Authority for the area of the National Park. This report deals specifically with possible future arrangements for the delivery of Development Control.

2 Consideration of arrangements for Development Control

- 2.1 The report of the **New Forest National Park technical officers working group on the delegation of development control functions** is attached at Appendix 1. This technical working group comprises planning officers from each of the 8 existing local planning authorities within the proposed area of the National Park. Meetings of the group were chaired by Ted Johnson the Chairman of the New Forest Committee (NFC); and supported by the NFC Chief Officer. A representative of the Countryside Agency was also invited to attend meetings.
- 2.2 At the same time as submitting the national park designation order, the Countryside Agency made various recommendations in advice on special administrative arrangements to the Secretary of State. Their advice on Development Planning and Development Control is set out in paragraph 1.2 of the attached report. The scale of development control in the proposed national park is set out in Appendix 2 of the report. The working group discussed a range of options on how a delegation scheme might work, before recommending one that closely follows the Countryside Agency's advice. The technical group believes this proposal to be: *"...efficient, clear and capable of delivering national park standards consistently across the proposed park area. [The scheme] also provides for the park authority to make decisions on major*

applications including significant mineral and waste issues, and to intervene if cases went against national park policies."

- 2.2 Sections 3 and 4 of the report explain the scheme, which is also illustrated in a diagram at Appendix 3. Some financial implications by way of comparison with other national park authorities are set out in Section 5.

3 Recommendations of the technical working group

- 3.1 The technical group report contains 3 recommendations:

- *That the New Forest Committee endorse the conclusions of the technical working group and support the recommended scheme of delegation and key administrative principles.*

The development control delegation report was considered by the New Forest Committee members at their meeting on 5th August 2003. They welcomed progress that had been made on drawing up a scheme, and encouraged each of the local authorities involved to support further work on this initiative. Specifically the NFC requested that each local authority consult interested parties within their area, including town and parish councils, and formulate and feedback their response to the NFC by January / February 2004. The NFC arranged a briefing session on the scheme, which was held on 24th October and was attended by Members and officers from each of the local authorities (except Dorset County Council) together with the New Forest Association of Parish Councils.

- *That each of the local authorities in the proposed New Forest National Park consider whether they would wish to participate in delegated development control decision making along the lines proposed.*
- *That if the principles are agreed by the majority of the authorities involved, that more detailed technical work be undertaken and consideration be given to the establishment of a joint Members group to participate in the process.*

4 Conclusions

- 4.1 The scheme of delegation for development control within the proposed New Forest National Park accords with advice given by the Countryside Agency to DEFRA. It is also in line with the previous views on special arrangements for administration by a national park authority that have been made by NFDC and were given in evidence on behalf of the Council at the national park public inquiry.
- 4.2 A decision on the establishment of the new national park is likely to be taken by Government early in 2004. This would make it possible for a new National Park Authority (the local planning authority for its area) to be in place before the end of 2005. It is important, therefore, that NFDC agrees in principle on key special administrative arrangements that this Council would wish to be put in place. The delegation of planning development control is a major statutory function for consideration. If the District Council continues to support this arrangement, further work should be undertaken by Members and officers to develop the delegation scheme in detail.

5 Financial Implications

- 5.1 The financial impact of the New Forest National Park falls into two distinct issues. The first relates to the fact that the Council will no longer be responsible for providing the development control and planning functions for a significant part of the District. This will reduce the net expenditure of the Council as it will either no longer incur the same level of costs or will be receiving an income stream from the National Park if the functions are provided on a delegated basis.
- 5.2 The Council will however lose revenue support grant (RSG) as a result. It is not possible to assess from the formula how much RSG will be lost as a result of this change. The Councils Formula Spending Share is currently £22.5m, for current services, for which RSG of is £4.1m is received. Based on the financial figures provided below the Council will reduce its net expenditure by around £1m but could lose £220k worth of RSG (based on existing ratio of grant to FSS) unless the Government seeks to recoup this windfall through other means. It would be unwise to assume any financial benefit at this stage.
- 5.3 The second major financial issue is whether the Council provides a delegated planning and development control function. The current net cost of providing these functions within the district as a whole is £2.047m. These costs have then been apportioned between the National Park and other areas of the district based on current activity levels. This assessment results in a net cost of £818k to the area not covered by the National Park.
- 5.4 Should the Council not pursue or not be awarded a delegated planning and development control function the aforementioned costs will increase to £868k due to economies of scale. In addition the Council would have to deal with around £440k of residual costs. Some of these costs could be managed down immediately others would take longer and some are unlikely to be reduced at all. This figure does not allow for alternative uses of the accommodation that would become available.
- 5.5 Although a significant amount of work still needs to be undertaken on this issue the indicative figures outlined above clearly demonstrate that in financial terms it would be advantageous for the Council to pursue the possibility of providing a delegated service.

6 Crime and Disorder Implications

- 6.1 None arising directly from this report.

7 Environmental Implications

- 7.1 The environmental consequences of the operation of planning development control are considerable. The arrangements proposed in this report are appropriate to protecting the environmental quality of the New Forest within special arrangements to suit the local circumstances of the New Forest.

8 Consultation

- 8.1 All town and parish councils, together with the New Forest Association of Parish Councils have been consulted. Bransgore, Fordingbridge, Hale, Hythe & Dibden and Sway Parish / Town Councils have written in support of the principles of a delegation scheme as outlined in this report. Any other local council views received will be reported to the meeting.

9 Economy and Planning Review Panel Comments

9.1 The Economy and Planning Review Panel support the recommendations (a) to (e) set out in this report, but also resolved to make a further recommendation to Cabinet:

(f) That in the event that any other district council local planning authority does not wish to carry out a delegated development control function for their area within the National Park, then New Forest District Council should offer also to do this on behalf of the National Park Authority.

10 Portfolio Holder comments

10.1 To be reported at the meeting.

11 Recommendations:

- (a) That the work of the technical officers group on developing an outline scheme for the delegation of development control within a New Forest National Park be welcomed.
- (b) That New Forest District Council confirms that in principle this Council strongly supports the principle of delegation of development control to existing local planning authorities within a New Forest National Park.
- (c) That officers be instructed to continue to work in a technical group with colleagues from other local planning authorities in order to develop a detailed and costed scheme that can be put as a proposal to any newly formed National Park Authority as a practicable and efficient way in which to carry out the planning development control function within the special circumstances of the New Forest.
- (d) That the Chairman of the Planning Development Control Committee and two other Members be appointed to a joint local authorities Member Steering Group to oversee the work of the technical officers group.
- (e) That DEFRA be informed of this decision and be kept informed of progress in developing the delegation scheme.

And see also recommendation (f) made by the Economy and Planning Review Panel (Paragraph 9.1)

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Background Papers:

A New Forest National Park Authority:
Proposed special arrangements –
Countryside Agency consultation
document June 2001

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