

THE LOCALISM ACT 2011

To summarise the main planning changes arising from the Localism Act which received Royal Assent on 15 November 2011

Recommendation: That the report be noted. More detailed reports will be presented to Members as resultant legislative changes come into effect.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

1.1 The Localism Bill received Royal Assent on 15 November 2011, following 11 months of parliamentary scrutiny, and has now become the Localism Act.

1.2 The Department for Communities and Local Government has claimed that the Localism Act “will trigger the biggest transfer of power in a generation”. The driving force behind the legislation is to give local people a greater say in what goes on in their neighbourhoods, particularly when it comes to development matters.

1.3 Different parts of the Act will come into effect at different times. On current estimates the aim is for the following major measures to come into effect in April 2012:-

- the general power of competence for local authorities
- the community right to build
- planning reforms, including changes to planning enforcement rules
- reforms to social housing tenure and council housing finance

1.4 The main measures from a planning perspective include:-

- The abolition of regional strategies (subject to a 12 weeks consultation)
- Neighbourhood planning. Instead of regional strategies which cover larger areas of land, the Act introduces the right for local communities to draw up their own neighbourhood plans in areas where they most want to see new homes and businesses

- Community right to build. Members of local communities will be allowed to form an organisation to bring forward proposals which will be able to go ahead without a separate planning application, providing the plans meet minimum criteria and can demonstrate local support through a referendum.
- Community consultation. Developers will be required to consult local communities before submitting planning applications for certain developments.
- Stronger enforcement. Planning authorities will have greater powers to tackle abuses of the planning system, such as deliberately concealing new developments.
- Reform of the Community Infrastructure Levy (CIL). The Government can now require some of the money raised by CIL to go directly to neighbourhoods where development takes place.
- Abolition of the Infrastructure Planning Commission. Government Ministers will now make decisions on nationally significant infrastructure projects.
- Local Plans. Inspectors will have limited ability to insert their own words into local plans.

1.5 The complete Act can be found at:-

www.legislation.gov.uk/ukpga/2011/20/contents/enacted

but downloading the full document is not recommended as it runs to 483 pages!

DCLG also published "A Plain English Guide to the Localism Act" which runs to a more modest 22 pages and can be found at :-

www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate

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