

DEMOCRATIC DEFICIT 2021

Who decides Oxfordshire's Future?

An update by POETS (Planning Oxfordshire's
Environment and Transport Sustainably)

February 2021

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Executive Summary

Democracy is under threat all round the world. In the last year our lives in Oxfordshire have been affected by

- The shrinking of local and national news media
- The failure so far to hold meaningful consultation on the growth agenda across Oxfordshire and the wider Oxford to Cambridge Arc
- The continuing impoverishment and enfeeblement of local authorities by increasingly centralised national government.
- The gagging of local councillors in South Oxfordshire, prohibited from developing their Local Plan
- The growth of misinformation and conspiracy claims

There are many other instances of democratic deficit. There is a risk that as they become more commonplace we no longer routinely notice them, with a real danger of the country collectively sleepwalking its way to the loss of any real local democracy.

This paper looks at what has been happening in the past year, drawing together many different strands with particular reference to Oxfordshire, and makes recommendations about how we can seek to reverse these trends. It is broken down into three parts:

Part one - An Overview – page 2

Part two - A Growing Deficit: where we are today – page 4

Part three - Recommendations – page 14

Oxford Times Editorial 17 December 2020:

“...[councillors] were told by Housing Minister Robert Jenrick, in an extraordinary affront to local democracy, that they had to accept the plan or he would impose it on them by force... Given the Government has cut funding to local authorities, one wonders what they envision the future to look like for councils in this country. A dark day indeed”.

Part One: An Overview

1. Just over a year ago, POETS published a paper highlighting how unelected bodies were increasingly determining Oxfordshire’s future. This paper draws together many separate strands and provides an update from as objective a view as possible.
2. As a group, we conclude that it is becoming increasingly difficult to judge who is responsible for planning and transport decisions in Oxfordshire. The challenges to our democracy have increased significantly over the last 12 months: this at a time when the climate emergency and the Covid pandemic pose significant threats – and where decision makers should have clear lines of accountability. The upcoming local elections will hopefully give Oxfordshire’s residents the opportunity to challenge local politicians on how they perceive these threats and how they are intending to counter them.
3. The only significant recent gain is that people are perhaps now more aware of the erosion of local communities’ ability to determine their own future. We are fortunate in this county to retain professional and independent media organisations – and we emphasise the need to offer support to keep it that way.

Oxfordshire

4. Our paper begins by looking at the local level.
5. We welcome the beginnings of an Oxfordshire 2050 Plan, but there are obvious concerns. Despite several consultations, the authors of this Plan have failed to engage meaningfully with the public. In part, this may well be because people increasingly believe that Oxfordshire is unable to set its own destiny. The Growth Board is refusing so far to be clear with people on likely future growth levels.
6. The rather opaque Growth Deal with government, which commits Oxfordshire’s local authorities to levels of growth far higher than required by local demands, is still setting the county’s development priorities and fuelling traffic growth and new highway construction. Unfortunately it remains poorly understood by many.
7. In turn this pressure for development is driven by the (unelected) Local Enterprise Partnership and the (unelected) England’s Economic Heartland which - despite its frustrated ambition to become a statutory sub-national transport body - seems to position itself to help to deliver the National Infrastructure Commission’s commitment to the Oxford-Cambridge Arc. So far there has been no real public engagement on the principle of any of this.
8. The Oxford-Cambridge Expressway has of course had little real public engagement and is for now (as far as we understand) officially paused. However, recently we have highlighted the risk of its being resurrected by stealth through various highway schemes linked to approved development south of Oxford, and the concept is still being promoted by the National Infrastructure Commission.
9. Finally, there was Secretary of State Robert Jenrick’s astonishing intervention in South Oxfordshire, where he instructed a recently elected Liberal Democrat/Green administration to stand away from planning policy matters and required its officers, under the instruction of his government department, to push through the local plan of the former Conservative administration. The *Oxford Times* described it as ‘an extraordinary affront to local democracy’.

Nationally

10. We make no apology for giving a significant amount of attention to the national picture in this paper. Much of what is happening in the county is driven by an increasingly centralised national government. Moreover, some of the emerging behaviour of the current government threatens democratic accountability in a number of new ways.
11. There has been serious erosion of democratic processes across government. The Covid emergency has seen a shift in power from elected MPs to No 10. There have been conflicts between the government and the judiciary (for instance over an unlawful intention to prorogue Parliament), and highly critical comments by the National Audit Office and Public Accounts Committee on ministerial allocation of public funds.
12. At the same time, a centralising administration continues a pattern of deregulation. This is highly questionable in the light of avoidable disasters such as the Grenfell tower fire, or the extension of “permitted development rights” (effectively placing much development outside the planning system), despite the government’s own advisers saying that this risked creating the slums of tomorrow. The 2020 Planning White Paper, attacked on all sides of Parliament, and other (less-publicised) plans propose deregulation in a way that would make integration of planning, transport, environmental protection and the combatting of climate change much more challenging.
13. The prolonged attack on the powers and finances of local government is insidious in other ways. The response to Covid has put huge burdens on what is left of the public health function in local government, but evidence is that, where the government has allowed, local authorities have performed significantly better than the centralised machine. What might local government have done with the £22bn committed on a (largely privatised) test and trace system (that is still not yet fit for purpose)?
14. The conclusion that there needs to be an entirely new and refreshed national to local government settlement is inescapable. Lord Kerslake, former Head of the Civil Service and Chair of the UK2070 Commission, has described the UK as ‘one of the most centralised, imbalanced, developed countries in the world’.
15. A post-Covid green recovery provides tremendous opportunities to change this and to resource a locally-democratic system with the means to address issues of substantive and procedural justice in the natural and built environments.

Conclusions

16. Some years ago, many of these issues would have made headlines, but we are becoming increasingly used to and worryingly more accepting of them. That they often fail to register now underlines that we risk losing our democracy by neglect.
17. The 2021 local elections therefore assume a critical importance to Oxfordshire’s future. They should not be deferred as they were last year – and the government should show its commitment to local democracy by providing the means for as many people as wish to vote by post.
18. This paper makes specific recommendations for the public, for candidates and councillors and for MPs.

Part Two: A Growing Deficit – where we are today

19. Our last paper on the Democratic Deficit (Dec 2019¹) warned that unelected bodies have become increasingly influential in proposals for the future development of Oxfordshire, pushing for unprecedented levels of growth with little account taken of local needs, or of the climate and biodiversity emergencies. We called for engagement with activities at local and national levels, welcoming developments such as citizens’ assemblies, and new forms of genuinely accessible public participation in planning decisions at all scales.
20. Since then, there have been serious challenges to democracy, internationally, nationally and locally, to some extent amplified by the Covid-19 crisis. We promised we would update our previous paper, and we consider this review to be timely with the expectation of local elections this year.
21. Oxfordshire is in the firing line for government-promoted development without local democratic support, and illustrates the problems for under-resourced local authorities in the face of increasingly centralised, and decreasingly democratic, national government.
22. Our conclusion is that democratic accountability in Oxfordshire and England is under potentially severe threat. The upcoming local elections give an opportunity to challenge local politicians about how they perceive this threat and what they are doing about it.
23. In this paper we look at a few positive developments, but, alas, more negative trends and events, at local and national scales. We conclude with a call for engagement in these elections, and in particular for people to consider what sort of future they want for Oxfordshire.

Local and regional scales

24. We believe that the Covid pandemic has revived interest in “the local” as a scale for action; but it is disappointing to record that we believe that the principal significant gain since our December 2019 paper is that there is more awareness than 12 months ago of the erosion of local democracy.
25. There have been some achievements in newer methods of deliberative democracy, such as Oxford City Council accepting the report of the Oxford Citizens’ Assembly on Climate Change, and taking its recommendations forward into its 2020 Sustainability Strategy. Our local councils and respected national pressure groups such as the Town and Country Planning Association (TCPA) agree that the government’s 2020 Planning White Paper risks a serious reduction in opportunities for democratic involvement in planning and land use decisions (notwithstanding proposals to enhance digitally, engagement with detailed design issues). There has also been widespread agreement amongst local authorities and public in opposing specific proposals such as Highways England’s Oxford-Cambridge Expressway.
26. The issues have received good coverage in our local media – and we still retain in Oxfordshire some high quality and challenging independent local print, TV and radio media. We stress later the importance of supporting these.
27. But there have been continued problems at local, sub-national and national scales. The list is long and makes worrying reading.

¹ POETS, 2019, *Democratic Deficit: The current lack of democratic legitimacy. A reflection and call to action*
https://www.poetsplanningoxon.uk/poets_democratic_deficit_report_081219.pdf

Oxfordshire 2050

28. The county’s local authorities, under the aegis of the Oxfordshire Growth Board, are working on a joint spatial strategy (“The Oxfordshire Plan”) for the period to 2050. While such longer term planning is in principle commendable, the fact remains that the local authorities are largely dependent on central government for funding of infrastructure. This inevitably constrains the plan’s aspirations, and may be partly responsible for critical responses to the first consultation (in spring 2019)².
29. As well as formal consultation, the Growth Board conducted informal consultation in 2020 through an online platform known as Oxfordshire Open Thought³. The number of responses to this exercise was disappointing⁴ - from only 117 individuals and organisations. POETS responded⁵, questioning the value of publishing bland visions and wish-lists. In themselves these give no indication as to how challenging ambitions (such as net gains for biodiversity; zero carbon development; and affordable housing) are to be achieved.
30. The Growth Board’s subsequent consultation on its “strategic vision” was couched in equally vague terms. It sought to introduce the concept of “good growth”, which POETS considers disingenuous⁶, not least because government uses fiscal controls to coerce more development than Oxfordshire needs or can sensibly accommodate.
31. POETS’ current understanding is that the Growth Board does not intend to set out real choices on the level of growth, although this could well help to engage public interest. It also appears that consultants’ reports on estimates of likely housing need will not be available to the public until the formal consultation on the 2050 Plan is published this (2021) summer. We believe that evidence on alternative levels of growth should be published as soon as possible, and certainly in advance of the formal consultation.
32. There are administrative processes for scrutiny of the Growth Board, but its dealings can seem impenetrable. For instance, it can be hard to keep track of the relationship between the various consultations. The fact that the level of engagement in the Open Thought consultation was so low is perhaps unsurprising: people question what value there is in responding if it seems that little or nothing changes as a result. The analysis of such consultations should include an indication of what changes the consultation has led to, and how they will be put in place.

South Oxfordshire Local Plan

33. The case of the South Oxfordshire Local Plan illustrates the dominance of central government in promoting its growth narrative.
34. Liberal Democrat and Green councillors won control of South Oxfordshire District Council in 2019 after standing for election on a commitment to review a Local Plan which had been at an advanced stage of preparation under the previous Conservative administration. However, despite the government’s claims to favour local decision making, the local councillors were prevented from progressing a new plan, as central government insisted on the earlier plan going to formal Examination in Public.

² <https://www.oxfordshiregrowthboard.org/wp-content/uploads/2020/12/Oxfordshire-Open-Thought-Phase-I-Summary-Report.pdf>

³ <https://www.oxfordshireopenthought.org/strategic-vision>

⁴ <https://www.oxfordshiregrowthboard.org/wp-content/uploads/2020/12/Oxfordshire-Open-Thought-Phase-I-Summary-Report.pdf>

⁵ <https://www.poetsplanningoxon.uk/poets-oxfordshire-open-thought-consultation-response-180720.pdf>

⁶ <https://www.poetsplanningoxon.uk/poets-oxfordshire-strategic-vision-consultation-response-010121.pdf>

35. Some months of exchanges with the Ministry of Housing, Communities and Local Government (MHCLG) culminated in March 2020 with a Direction⁷ from Secretary of State, Robert Jenrick, that:

“South Oxfordshire District Council:

- 1) Progresses the Plan through examination and adoption by December 2020
- 2) Report monthly (from the date of this letter) and to my officials on progress of the Plan”.

36. The letter of Direction went on to say

“One of the matters that I expect your council to report monthly on is how you will ensure that the Plan delivers a sufficient supply of new homes, in line with national policy. The National Planning Policy Framework sets out that in addition to the relevant local housing need figure, any needs that cannot be met within neighbouring areas should also be taken account in establishing the amount of housing to be planned for.

I will continue to closely monitor your plan-making progress. Should a significant delay occur, should you fail to comply with the directions in this letter without a good reason or should the Plan fail at examination, I will consider taking further intervention action to ensure that an up-to-date Local Plan is in place in South Oxfordshire.”

37. Meetings of officers of the MHCLG and SODC were held monthly until the plan was finally adopted in December 2020. In what the *Oxford Times* described as “an extraordinary affront to local democracy”⁸, councillors were not allowed to attend such meetings – or indeed participate in the local plan process. So the adopted local plan reflects the dominant growth narrative of central government, and its ability to push through a scale of housing growth which, following local elections, did not have local support.

38. In part as a consequence of this undemocratic process, local group Bioabundance is challenging the local plan in the High Court on grounds relating to process, housing numbers and climate change⁹.

Local democracy and transport schemes

39. Within Oxfordshire, groups and individuals are still struggling to understand the decision-making processes of Oxfordshire’s Growth Deal with government. This Deal, originally agreed in 2017, is a major source of infrastructure funding for Oxfordshire (the Growth Board refers to it helping to secure over £500m of investment¹⁰). The County Council has been successful in some bids to government for active travel projects. Yet Growth Deal funds are primarily being applied to highway construction schemes. As an example of this, in 2019 the County Council chose not to include provision of a cycle route along the B4044 from Oxford to Eynsham out of concern that it might weaken the business case to such a degree that the whole bid to the Housing Infrastructure Fund, including measures on the A40, might be refused.

40. The development proposed in the South Oxfordshire local plan, particularly at Chalgrove Airfield, is already generating pressures for new road links across the local and regional

⁷<https://www.southoxon.gov.uk/wp-content/uploads/sites/2/2020/09/200303-SofS-SODC-Decision-Letter-1.pdf>

⁸ The *Oxford Times* leader 17 Dec 2020

⁹ There is also a legal challenge from a local group to housing proposals in the Cherwell District Local Plan

¹⁰ Oxfordshire Growth Board, Aug 2020, About us (<https://www.oxfordshiregrowthboard.org/about-us/>)

network, and this has been referenced in both the *Oxford Times*¹¹ and on 28 January 2021 on *BBC South Today*. This would run counter to the county council’s recognition of the climate emergency, and added to previously approved schemes around Didcot and Culham, it risks the creation by stealth of a major highway at the western end of the Oxford-Cambridge Expressway corridor¹². This would of course not be consistent with the county and all Oxfordshire’s other councils’ previously declared opposition to the Expressway.

41. Such a “highway by stealth” would also pre-empt some options for Oxfordshire 2050. POETS has sought (so far unsuccessfully) to find out exactly how certain highway schemes came to be included in the local plan without the formal approval of the County Council as Highway and Transport Authority. There has certainly been no strategic and publicly-debated plan at that scale, nor public engagement on the schemes’ suitability.

England’s Economic Heartland (EEH)

42. This organisation encompasses an extremely diverse area stretching from Swindon to Peterborough. At the wider regional scale, EEH is pursuing its regional transport strategy, without any comparable democratically-elected forum for regional land-use planning. While EEH’s bid to government for Statutory Sub-national Transport Body status was rejected in 2020, it is an organisation that is nevertheless well-funded by central government, which has awarded substantial resources to it (£500k for 2020-21 for development and delivery of the Transport Strategy, and a possible £400k for connectivity studies with Highways England¹³). This all suggests it is expected to serve some national purpose.
43. POETS is concerned that this represents a “mission creep”, in which the Regional Transport Strategy will determine land use options and outcomes. This should first be determined by some democratic regional planning forum.

Oxford-Cambridge Arc

44. The Oxford-Cambridge Arc continues as a project of the National Infrastructure Commission, and central government is committing scarce resources to this putative project. A dedicated unit for the Oxford-Cambridge Arc has been set up in MHCLG, which in autumn 2020 funded Future Fox, a small prop-tech company, to undertake a survey of public opinion (though poorly-phrased and selectively targeted). The brief for the survey was ostensibly to “pilot and test a different approach to engagement with residents and communities. The primary objective is to ascertain whether such a tool and approach can be used at scale to enable more people to participate and share their views on policies and preferences for place-making in addition to more conventional processes already in use in plan making”¹⁴.
45. No such wider public engagement on the principle of such a plan has taken place, although MHCLG’s reference to “place-making” suggests the principle of urban development at some scale is already decided. The Treasury continues to talk up the

¹¹ Affecting parishes such as Nuneham Courtenay, Stadhampton, the Miltons, and possibly Wheatley and Holton (see “Debate Expressway” by Roger Williams in the *Oxford Times letters page* 28 January 2021 and lead story in the *Oxford Times* on 6 August 2020.

¹² The Oxford-Cambridge Expressway has only been “paused”, and there is no clarity on the government’s, DfT’s or Highways England’s intentions, despite many organisations requesting an up-date of the position and seeking opportunities for the long-promised democratic engagement. See letter from Baroness Vere to Oxfordshire Growth Board 9 Oct 2020: <https://www.oxfordshiregrowthboard.org/wp-content/uploads/2020/10/FinalResponseFinal-response-to-MC-Chapter-ID-312641.pdf..pdf>

¹³ Letter from Baroness Vere, DfT Transport Minister for Roads, buses and places, to EEH, 6 August 2020

¹⁴ Letter from MHCLG to POETS (Noel Newson), Nov 2020

prospects for the area, while acknowledging there is no spatial framework: the national Budget in March 2020 (para 2.128) stated that the “The government has designated the corridor of land connecting Oxford, Milton Keynes, Bedford and Cambridge (the OxCam Arc) as a key economic priority”, and (para 2.129) has “plans to develop, with local partners, a long-term Spatial Framework to support strategic planning in the OxCam Arc. This will support the area’s future economic success and the delivery of the new homes required by this growth up to 2050 and beyond”.

46. The Chancellor’s November 2020 Spending Review Fig 3.1 promised “investment in the Oxford-Cambridge Arc, including funding for East-West Rail between Bicester and Bletchley”, although this should be seen in the context of a £1bn cut in rail investment nationally while the £27bn roads programme remains intact. The review also promised investment towards the development of a “spatial framework”- a commitment reinforced at para 6.61 “£4m towards its ongoing Oxford-Cambridge Arc programme, building on the government’s commitment to accelerate housing and infrastructural delivery”. The accompanying National Infrastructure Strategy provides a little more detail¹⁵.
47. One of the NIC Commissioners, Bridget Rosewell, indicated in September 2020 that the NIC was still pursuing options at the western (Oxfordshire) end of the Oxford-Cambridge Expressway, and is still committed to building roads and overcoming resistance¹⁶.
48. Major concerns therefore remain over the lack of regional, sub-regional and local democratic input into the Arc. Representation is indirectly through the Ox-Cam Arc Leaders’ Group. In early October 2020, an Economic Prospectus for the Arc was published (although with no author or place of publication), citing examples of businesses and universities across the Arc. Many Oxfordshire councils published statements of support. However, although Buckinghamshire Council and LEP in September had withdrawn from the Arc Leaders’ Group¹⁷, this major gap in the Leaders’ Group support was not acknowledged in the published Economic Prospectus.
49. POETS believes there is still a serious democratic deficit in the promotion of the Oxford-Cambridge Arc. It appears accountable to no-one; moreover, it is unclear how these plans fit with the government’s stated aim to “level up” by giving priority to more deprived parts of the country.

¹⁵ NIS 2020 p 40: “In 2017, the National Infrastructure Commission outlined the transformational economic potential of the Oxford-Cambridge Arc in its report ‘Partnering for Prosperity’. At Spending Review 2020 the government has reaffirmed its commitment to the area, including additional funding to support the Budget 2020 commitments to develop a Spatial Framework to plan for long-term economic and housing growth and to explore the case for up to four Development Corporations along the route of East West Rail. This will help to deliver sustainable economic and housing growth, supported by infrastructure that meets the needs of local people”.

¹⁶ “At the western end of the corridor, the expressway is a lot more challenging, connecting the M1 and the M40, and the route for that is definitely more [...] challenging. We are not quite sure exactly where that is going to go, but we will continue to press for that, let alone between the M40 and the A34. So, substantial investment in transport improvements across the Arc and the corridor is still very much necessary”: speech by Bridget Rosewell, NIC Commissioner, at Westminster Forum on Oxford-Cambridge Arc, 27 September 2020

¹⁷ Cllr Tett is quoted in the Local Government Chronicle 29.09.20 as saying “Our very strong Buckinghamshire proposition doesn’t fit together with the Oxford-Cambridge Arc plans. As part of the Arc, we would have potentially been a low priority within an enormously large geography and that dilutes the strength we have as a unitary with effectively co terminus boundaries with all our key bodies.”

National scale

50. There has been serious erosion of democratic processes in many institutions of government.

Parliamentary or Executive powers

51. There has been a shift in power between no.10 and elected MPs. Parliamentary debate has been constrained by periodic insistence on physical presence in the House of Commons, and the partial exclusion of virtual participation. Policy has been driven by a revolving door of special advisers, and senior civil servants have resigned.
52. Within the MHCLG planning function, there have been unwarranted decisions favouring specific applicants against Planning Inspectors’ recommendations, or awarding central government funding without clear due process. For instance, the National Audit Office undertook a review in July 2020 of the process followed in the ministerial allocation of Town Funds (£3.6bn for struggling towns), and, following the publication of the Comptroller and Auditor-General’s report, the Public Accounts Committee concluded that the selection process was not impartial and that decisions by the Secretary of State were politically motivated¹⁸.
53. There have been continuing conflicts between government and the judiciary (following the Supreme Court’s decision that the intention to prorogue Parliament in late 2019 was unlawful), and there have been attempts to reduce the independence of the Electoral Commission, and the opportunity for Judicial Review¹⁹.

Centralising or devolving government

54. At the same time, government has demonstrated both centralising and privatising tendencies. An example of this centralisation is the continued deregulatory shift. As a consequence, local authorities’ ability to plan their own areas – such as town centre recovery – is threatened by the most recent proposals to change the Permitted Development Rights regime²⁰. Previous deregulation has led to conversions of office and warehouse buildings to housing units of seriously unacceptable standards, for instance in internal and external space and window provision²¹. Similar risks are entailed in proposed changes to the planning system. (The impacts of privatisation, shown in government’s roll-out of responses to Covid-19, initially by-passing local Public Health expertise, are discussed in paragraph 57).
55. In mid-November 2020, not least after pressure from back-bench Conservative MPs, the government seems to have backed down from its proposed changes to the algorithm for generating housing allocations²², but it remains to be seen what will emerge from the review of the weighty responses to the Planning White Paper (see below, paragraph 58 onwards). There are undoubtedly opportunities for building back better by providing housing or live-work units in former retail or office spaces in town centres: but the concern remains that continued deregulation will allow housing with unacceptably poor

¹⁸ https://publications.parliament.uk/pa/cm5801/cmselect/cmpubacc/651/65105.htm#_idTextAnchor002

¹⁹ Gina Miller, *The Guardian*, 9 December 2020 ‘Under Boris Johnson, corruption is taking hold in Britain’ https://www.theguardian.com/commentisfree/2020/dec/09/boris-johnson-britain-corruption-cronyism-checks-balances?CMP=Share_iOSApp_Other

²⁰ MHCLG, Dec 2020, *Supporting housing delivery and public service infrastructure* <https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure>

²¹ Clifford, B et al, 2020, *Research into the Quality Standard of Homes Delivered through Change of Use Permitted Development Rights*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902220/Research_report_quality_PDR_homes.pdf

²² <https://questions-statements.parliament.uk/written-statements/detail/2020-12-16/hcws660>

and unjust standards, often in inappropriate locations, and which will exacerbate both fuel poverty and the climate emergency.

56. The response to Covid has placed huge burdens on local authorities, at the same time as negatively impacting their income. The Treasury has made unprecedented allocations of public money to sustain people’s incomes, and some additional funds have gone to local authorities: but it is likely that many local authorities will face serious losses and shortfalls in their budgets. Local authorities have already seen reductions in their spending power by 18% since 2010²³. The planning service, in particular, has experienced a year-on-year decline in funding for some 10 years. These reductions have forced local planning authorities to “focus on development management and income generation, whilst proactive policy-making has lost out” (RTPI, 2019)²⁴.
57. One consequence of this loss of local government funding is loss of control over local priorities, and over-dependence on government-led Growth Deals. In the field of public and environmental health, similarly, there has been neglect by central government of public local knowledge and expertise and an increase in the use of private companies (for instance, in the case of test & trace, outsourcing to a network of private sector providers). It has been suggested - for instance, by the Public Accounts Committee²⁵, and Good Law Project²⁶ - that government and other public sector contracts for ventilators and PPE have not been let with due process. The NAO reports that the Department of Health and Social Care’s procurement of PPE between February and July 2020 cost £12.5bn²⁷, and that NHS Test and Trace has a budget for 2020-21 of £22bn²⁸. It is tempting to think what local government (which has generally performed better than central government in dealing with Covid, with much less (and diminishing) resource could have done with those amounts.

Planning White Paper 2020

58. The Planning White Paper of August 2020 proposed significant (“tear it down and start again”) changes to the planning system first established in 1947. Responses to the White Paper (such as the open letter from CPRE and Friends of the Earth²⁹, signed by over 2000 elected Councillors (including some 30 from Oxfordshire)) have highlighted the major threats to local authority planning. These include the proposed centralisation of Land Value Capture and the threats to wider participation in its proposals; the loss of open and public consultation in allocating land into zones; the loss of rights and opportunities at planning application stage; and loss of the right to be heard at inquiries. POETS acknowledges that new technology brings new opportunities for increasing participation, especially amongst younger people, such as through digital visualisation of the street scene and local place-making, but is concerned that insufficient attention is

²³ Institute for Government, 2020, *Local Government Funding in England*, <https://www.instituteforgovernment.org.uk/explainers/local-government-funding-england>

²⁴ Royal Town Planning Institute, 2019, *Resourcing Public Planning* <https://www.rtpi.org.uk/policy/2019/november/resourcing-public-planning/>

²⁵ Public Accounts Committee, 2020, *Covid-19: Supply of ventilators*, <https://committees.parliament.uk/publications/3639/documents/35370/default/>

²⁶ Good Law Project, 2020, <https://goodlawproject.org/news/special-procurement-channels/>

²⁷ National Audit Office, 2020, *The Supply of PPE during the Covid-19 Pandemic* <https://www.nao.org.uk/wp-content/uploads/2020/11/The-supply-of-personal-protective-equipment-PPE-during-the-COVID-19-pandemic-Summary.pdf>

²⁸ National Audit Office, 2020, *The Government’s approach to test and trace in England - interim report* <https://www.nao.org.uk/wp-content/uploads/2020/12/The-governments-approach-to-test-and-trace-in-England-interim-report-Summary.pdf>

²⁹ <https://takeaction.cpre.org.uk/page/68213/petition/1?locale=en-GB>

being paid to the digital divide (that is, the fact that many people do not have access to the internet, or are not familiar with how to access and use it).

59. We are critical of the White Paper’s overly-narrow focus on beauty and design rather than on land uses. If we are to meet our net zero carbon goal, it is essential that land use planning and transport are fully integrated – an integration seriously overlooked in the White Paper. Post Covid, we must maximise opportunities for public engagement in building back greener, especially in responding to the linked issues of mental and physical health, access to green spaces, biodiversity loss and addressing climate change. For more detail see the POETS response to the White Paper³⁰.
60. POETS is also critical of further embedding de-regulation, such as in the government’s consultation from December 2020 on further changes to the permitted development and use classes regimes³¹, which risk further loss of housing quality.

Deliberative democracy and public engagement

61. Nationally, efforts in deliberative democracy, such as citizens’ assemblies, have been stalled, although the UK Climate Citizens’ Assembly reported to 6 Select Committees in September 2020, and it is to be hoped that its report will succeed in influencing the UK’s response to the delayed CoP 26³² in Glasgow in 2021. There have, however, been an increasing number of local Councils, such as Oxford City Council, employing and acting on citizens’ assemblies around issues such as climate change.
62. We also believe that, in many local areas, the Covid pandemic has produced some significant new ways of working and engaging with the public. We are heartened by a late 2020 report from a consultancy and the RTPI, *The Future of Engagement*³³. Some of its findings are that, for professional groups such as consultancies and local planning authorities, the pandemic has accelerated a shift to digital engagement: the majority of public respondents considered that changes to local spaces and services are needed to adapt to life post the pandemic, and that local people should be involved in these decisions.
63. While this evidence of renewed public interest in local areas is welcome, POETS remains concerned (as in para 58 above) that there should also be wide engagement in broader land use planning issues. We believe this requires a greater commitment to active and empowered local government.

Devolution and the future of local government

64. POETS believes that what is needed is an entirely new and refreshed national to local government settlement, in which a cost-effective distribution of powers, funding, autonomy and structure need to be addressed.
65. The UK has been described by Lord Kerslake, former head of the civil service and Chair of the UK2070 Commission, as “one of the most centralised, imbalanced, developed countries in the world...Recovery post Covid-19 will only take place when we realise that.”³⁴

³⁰ <https://www.poetsplanningoxon.uk/poets-planning-white-paper-centralising-power-while-decentralising-blame-010920.pdf>

³¹ MHCLG, 3 December 2020 (<https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure>)

³² UN Convention on Climate Change Conference of the Parties 26

³³ Grayling Engage and RTPI (Royal Town Planning Institute), 2020, *The Future of Engagement* <https://www.rtpi.org.uk/media/7258/the-future-of-engagement.pdf>

³⁴ UK 2070 Commission <http://uk2070.org.uk/news/>

66. In England, this recovery should include the re-empowerment of local authorities. Many responses to the Planning White Paper have argued the need for some form of strategic planning, at a scale wider than that of our current one or two-tier local authorities. But it is important that any such body is fully accountable to its electorate. Central government has been facilitating moves towards unitary councils, replacing the two-tier system – as currently exists in Oxfordshire - where there is local support. However there has not been an across-the-board consideration of a sensible local government structure since the late 1960s. Proposals for elected regional assemblies were abandoned in 2004, and unelected regional bodies were abolished by 2010; and of course it is possible that there will not be comprehensive consideration of local government structures in England other than in the context of pressures from the three devolved national governments.
67. However, even in the absence of a Devolution White Paper, there is a compelling and urgent case for a proper settlement of powers and funding between central and local government in England.
68. A lasting post-Covid Green Recovery requires much greater localism: not least to resource a locally-democratic planning system with the means to address issues of substantive and procedural justice in the built and natural environments. Any reforms to the planning system should be evidence-based, and should learn from the well-researched and well-regarded 2018 Raynsford Review of Planning and its 2020 update³⁵.
69. It has been clear that what people have really valued during the pandemic are locally-provided attributes – good environment, quality local housing and open space, the contributions of key workers – but there has also been acknowledgement of inequalities in provision of, and access to, such environments, and socio-economic inequities in pay and health³⁶. It is also abundantly clear now that properly accountable localism works. POETS believes that investing in local authorities, in people and equitably-accessible and well-maintained places, in a context of publicly-debated and democratically-agreed strategic planning, is valuable in its own right. It is certainly much more valuable than grandiose infrastructure projects, often determined by remote central government or unaccountable quasi-governmental bodies³⁷. What we are calling for therefore is nothing less than a new contract between central and local government: there would be huge resulting social and environmental gains – and there would be financial savings too.
70. Some years ago, many of the issues of loss of locally-empowered and well-resourced democracy, highlighted in this paper, would have made headlines; but we are increasingly used to such failings and there is a tendency simply to accept them without challenge. We would like to see a recognition that the future of good local government is at stake, and with it, arguably, the future of democracy in this country. The centralising tendency of government must be resisted, and a new settlement with local government made.
71. Not since the Royal Commission chaired by Lord Redcliffe-Maud, which reported in the late 1960s, has there been a comprehensive consideration of the functions and structure of local government in England. The logical recommendations put forward by Redcliffe-Maud were not implemented. Since then, successive governments have made piecemeal changes to the way in which local government works, resulting in widely differing structures and funding arrangements in different places. The end result of these changes is that England has a system of governance that is extremely centralised and

³⁵ Raynsford Review of Planning in England, 2020: *Planning 2020 One Year On: 21st Century Slums?*
<https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=7260c5e9-ad84-48a2-92a5-922fa48ba6f7>

³⁶ Institute of Health Equity, 2020, Build Back Fairer: The Covid-19 Marmot Review:
<http://www.instituteofhealthequity.org/about-our-work/latest-updates-from-the-institute/build-back-fairer>

³⁷ The government in 2010 promised a bonfire of Quangos

highly complex, making it difficult to understand. It is surely time for a new Royal Commission to be appointed to consider the appropriate structure, functions and resourcing of local government in England.

2021 Local elections

72. The 2021 elections include those deferred from 2020, and they assume critical importance to Oxfordshire’s future. In 2021, all City and County Council seats will be up for election, as will one third of Cherwell’s and West Oxfordshire’s seats³⁸.
73. They provide a major and genuine opportunity for all residents to exercise their democratic rights, and to support (or campaign for) reforms along these lines. Although there are current suggestions that the elections should be postponed until autumn 2021³⁹, POETS is encouraged by the government’s recently stated commitment to hold the elections as planned in May. There remains a risk however that the Covid pandemic could yet interfere with this timetable. POETS believes it is essential for local elections to be held this year. Deferring elections for yet another year would send a signal from the government that it sees local democracy as an optional extra rather than a key part of our society. The government should show its commitment to local democracy by providing the means and resources for local election postal votes for as many electors as request them.
74. We estimate that, because of the delay caused by Covid19, 2021 might be the first opportunity for some 30,000 new electors in Oxfordshire to vote for their county councillor. The success of Greta Thunberg in energising all generations, but especially younger people and those of school-age, has shown that activism and engagement can be very effective. A recent survey also found only moderate levels of trust in local authorities as sources of information about climate change⁴⁰, but 2021 offers a major chance to change this.
75. We believe that it is at the local level, where Local Authorities have declared Climate Emergencies, where real opportunities lie for activating this engagement⁴¹. In the planning and community action fields, while there are many accounts of innovative methods for getting people involved in decisions about local place-making, these tend to focus on local facilities, design and access, whereas we would argue that strategic planning deserves the same enthusiasm shown in the results of the RTPi survey.

³⁸ No seats are up for election at Vale/South as they are held every 4 years (last in 2019). Cherwell and West Oxfordshire have elections 3 out of 4 years, but 2020 elections were postponed.

³⁹ LGIU (Local Government Information Unit) Statement, 24 January 2021: No longer possible to hold safe and open elections in May <https://lgiu.org/press-release/61069-2/>

⁴⁰ A survey in 2019 showed strong belief that climate change must be addressed urgently, and support amongst all groups for the Paris Agreement and for climate awareness protests (Steentjes, K et al, 2019, *British Public Perceptions of Climate Risk, Adaptation Options and Resilience*, Cardiff University and Climate Outreach)

⁴¹ There are some useful guides, such as Climate Outreach 2019 *Recommendations for engaging young people with climate change campaigns* <https://climateoutreach.org/reports/engaging-young-people-with-climate-change-campaigns/>

Part Three: Recommendations

76. The POETS group recommends that:

- 1) The **media** should publicise what is at stake in the local elections, and hold existing councillors and candidates to account.
- 2) The **public** engages with and in particular votes in the local elections in 2021.
- 3) The **public** should both support and challenge our local media⁴², and “call out” misinformation in all media
- 4) **MPs** should press for the 2021 local elections to be held, and for resources to be provided for them to be Covid-secure, with resources for postal votes.
- 5) **MPs** should lobby for a sensible local government settlement, securing greater independence and robust funding
- 6) **Candidates** for election in 2021 should make especial efforts to enthuse new and younger voters to use their votes.
- 7) **Candidates** should be asked what their priorities are for planning, transport and the environment in Oxfordshire, and what steps they think should be taken to achieve them.
- 8) **Candidates** should be asked what sort of future they want for Oxfordshire, and whether they support POETS Vision⁴³
- 9) **Councillors** should stand up for Oxfordshire’s interests and democracy and press for greater local government discretion and financial independence
- 10) **The Oxfordshire Growth Board** should consult immediately on what levels of growth it will be putting forward for the county
- 11) **The Oxford-Cambridge Arc Leaders’ Group** should report on exactly how it is representing local interests
- 12) **The Government** should appoint a new Royal Commission to consider the appropriate structure, functions and resourcing of local government in England.

Don’t it always seem to go
that you don’t know what you’ve got
till it’s gone

Joni Mitchell from Big Yellow Taxi

⁴² Including the BBC’s Local News Partnerships and Local Democracy Reporting Service, supporting local independent media (<https://www.bbc.com/lnp/ldr>)

⁴³ POETS, 2020, *A Vision for Oxfordshire* (<https://www.poetsplanningoxon.uk/poets-a-vision-for-oxfordshire-050420.pdf>)