

What's democracy got to do with it?



*Think of what our Nation stands for,
Books from Boots' and country lanes,
Free speech, free passes, class distinction,
Democracy and proper drains.
— John Betjeman 1940*

At the beginning of the year, just before publication of the Housing White Paper and Liz Peace's highly critical CIL report, a ripple of concern emerged when the Local Government Information Unit (LGIU) produced a survey, commissioned by the National Trust, which found that almost three-quarters of the 1,200 ward councillors in England that were surveyed believe the planning system is undemocratic, being too weighted in favour of developers at the expense of local communities.

Aside from the observation that the National Trust is hardly a democratic organisation (and whether democracy is as important as proper drains anyway), this begs the question of whether the planning system is supposed to be democratic at all. Given that democracy is defined in my dictionary as "government by all the people...", the idea that planning decisions should be voted on by everyone is clearly unworkable. The key to understanding democracy is the second part of the definition "...usually through elected representatives".

So what the ward councillors are concerned about is whether they, as elected representatives, have proper control over planning decisions within the planning system as it currently operates. And the question we need to ask is whether they should have. Such considerations are highly topical - it has been pointed out that youngsters between the ages of 18 and 22 have had the opportunity to vote on five major issues in the last four years, while before 2013 we had to wait more than twenty years to vote five times.

Lenin wrote in 1919 that democracy is not identical with majority rule, but rather is a system that recognises the subjection of the minority by the majority - a way of forcing the decisions of one part of the population against another. Which in my view seems to describe the planning system as it now operates (not to mention being an excellent summary of the Referendum result). In practical terms, development control is exercised by unelected officers who are answerable ultimately to elected councillors. Some of these councillors also do have direct responsibility (albeit limited and dwindle)

for many - but not all - key local planning decisions.

However the system is certainly more complex than that and is becoming less "democratic" at a local level as government incrementally removes control from elected representatives and passes it over to neighbourhoods*, or to individuals through permitted development. And this is without the intermittent but far-reaching intervention of the judiciary, when it interprets planning law which has been enacted by elected representatives at a higher level. Indeed, the Supreme Court has only recently told everyone "to be less legalistic about the way we frame our arguments as to the application of national and local policies to development proposals" (Simon Ricketts writing in *The Planner*) in its judgment concerning the five-year housing land supply of local authorities.

So the answer to the question posed by the LGIU survey: is the planning system undemocratic? must be yes - and so it should be to work effectively. We have in the planning system at present a typically British compromise between monolithic and comprehensive planning as might be practised in an undemocratic dictatorship and the free-for-all that existed before the Housing Act in 1909 or the first Town and Country Planning Act of 1932. Indeed, the planning system today encompasses such a wide range of decision-makers, from the Inspector at a public inquiry to the over-worked and inexperienced geography graduate acting as a planning officer and from the local councillor following a party whip to the private consultant well-versed in permitted development rules, as to be incomprehensible in terms of "democracy". The question is surely irrelevant.

And this is without any consideration of the politics of planning. In February 2017 a report from The Housing Forum suggested that part of the current housing crisis is due to the interference of local councillors in the planning process. It recommended: "Housing should be depoliticised. Take party politics out of housing strategy and delivery by creating cross-party housing groups and removing elected members from decision making..."

"So much for democracy!

Readers of my last column will know that in November 1968 the *Architectural Review* noted (with reference to what is now the M25) that a motorway fed by nine others, as well as many main roads, would not be able to cope with the amount of traffic expected. Its instigators, the GLC Department of Highways and Transport, admitted that proper studies were not carried out due to limited resources of money and staff. The AR editorial added: "assignments published in Vol. 2 of the London Traffic Survey suggest that the volume of traffic trying to use the box [as it was then called] will be three or four times greater than its capacity" and concluded "this is too big a project to allow it to go forward on the basis of the GLC's 'say-so'". But go ahead it did.

Was that a democratic decision? Should it have been? Is the GLA (GLC) an effective democratic body? I suggest the answer to such questions is that, while the planning system is nominally part of our complex democratic government, the bodies that administer it are only partly democratic. And therein lies a fundamental contradiction of the planning system as it exists.

E S White declared in 1944 that "Democracy is the recurrent suspicion that more than half of the people are right more than half of the time." I don't propose to comment on whether planning decisions are right more than half of the time, but I do conclude that the planning system is not truly democratic - and therefore works better for that. ■

* *Is Localism and Neighbourhood Planning a New Democracy?* [see my next article].

All the ills of democracy can be cured by more democracy. — Alfred Smith, 1933