



This work has been submitted to **NECTAR**, the **Northampton Electronic Collection of Theses and Research**.

**Conference or Workshop Item**

**Title:** The contemporary politics of rights in UK planning and development

**Creators:** Colenutt, B.

**Example citation:** Colenutt, B. (2012) The contemporary politics of rights in UK planning and development. Invited Presentation presented to: *International Academic Association on Planning, Law and Property Rights (PLPR) 6th Annual Conference: Rights, Responsibilities and Equity in Land Use Planning, University of Ulster, Belfast, 08-10 February 2012.*

**Version:** Presented version

<http://nectar.northampton.ac.uk/4801/>



# The Contemporary Politics of Rights in UK Urban Development

Bob Colenutt, Northampton Institute  
for Urban Affairs, Feb 10<sup>th</sup> 2012

# Overview of Presentation

- Why Rights now – politics of the Localism Act
- Community Rights in the Localism Act – a reality check
- Lessons of the Community Right to Buy in Scotland
- Threats and Opportunities of the Rights for Community Action

# Why Rights now – the politics of the Localism Act

- The Big Society and Localism; localities and communities against the central state; attack on universal rights;
- Community Rights; Right to Reclaim Land; Community Right to Build; Community Right to Buy; Right to Challenge; Right to call Referendums; Rights to draw up Neighbourhood Plans – to what extent are they “Rights”?

# The Politics of Community Rights

- How Community Rights are circumscribed by National and Local Planning policy
- Rights are controlled by local authorities with no right of appeal
- Absence of funding reinforces inequality in planning and land
- Community Rights raise false expectations
- New “Rights” obscure the loss of fundamental national entitlements e.g. to welfare; social housing; training; with Localism obscuring the need for central planning, and strategic provision

# Lessons of the Right to Buy in Scotland

- The Land Reform Scotland Act 2003 response to demands for land reform
- Community Right to Buy in practice; only 9 transfers of land
- Reasons for minimal impact
- Implications for new Rights in the rest of the UK

# Community Rights and Community Action

- Would campaigns over land and property elsewhere in the UK have been helped or hindered by the community rights in the Localism Act?
- Can the new Rights be used by communities fighting injustice over property and land?
- Making Community demands and visions
- Using openings in the Act for legal challenges

# Conclusions

- The rights do not challenge inequalities in land ownership, property market or planning outcomes
- Even in their own terms they are very restricted and partial
- They benefit better off areas and reinforce the imbalance of community power
- They are a diversion from the need for strategic intervention and provision
- Wider context is poorer communities losing out from austerity and recession
- But might be used to challenge and campaign