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Markets, large projects and sustainable development: traditional and new planning in the Thames Gateway

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This is an electronic final author-formatted version of an article published in *Urban Studies*, 47 (1). pp. 105-119, January 2010.
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The definitive version is available online at:

<http://dx.doi.org/10.1177/0042098009346864>

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1. INTRODUCTION

The strength of the transition from traditional hierarchical government to new forms of governance and planning can be overstated. Our interest in governance 'beyond the state' (Swyngedouw, 2005) or in the 'institutional void' of policy and politics (Hajer and Wagenaar, 2003) has to be tempered by the knowledge that we may be more likely to encounter hybrid institutions constructed from the traditional and the new (Beck and Lau, 2005) and that tradition is not easily transcended (Pierson, 2004). In planning theory strong contrasts are developed between the traditional and the new institutions and practices (Albrechts, 2006; Allmendinger and Haughton, 2007; Healey, 2007). Such contrasts are all the more attractive if the new institutions of spatial planning can deliver the aspirations of deliberative policy making conceived in theory (Hajer and Wagenaar, 2003; Healey, 2007). However, such transition is not complete and, 'clearly, much of the business of governing is still effected by the traditional hierarchical institutions of government' (Hajer and Wagenaar, 2003, p. 3). In this paper we explore relationships between traditional and new institutions of planning.

We examine the relationships between older and emerging styles of planning through the case of a major project in the Thames Gateway to the east of London. We focus on the case of the substantial London Gateway project in Thurrock, which involves the building of the largest container port in the U.K. and an accompanying industrial park. The government's ambition for the Thames Gateway, an area that stretches 40 miles from the east of London along the River Thames, is the straightforward encouragement of the market to deliver a substantial programme of development. Success depends in some part on the regional impacts of large projects.

We need to set the planning of the Thames Gateway, in a broader context of institutional change. Over the past decade reforms of planning in Europe have been driven by the continuing search for the right scale at which to manage dynamic city-regions (Salet et al., 2002) and by the exchange and development of ideas about *spatial planning* (Dühr et al., 2007). In the U.K., this double process of reform - the devolution and regional agenda of the Labour administration since 1997 and the continuing reform of the planning system in search of efficiency, effectiveness and the community focus of spatial planning, have created a framework for planning that is described as being increasingly complex (Tewdwr-Jones and McNeill, 2000, p. 121). The City Task Force set up by the opposition Conservative Party concluded that there were simply too many governmental and non-governmental bodies involved in planning, causing the policy-making process to become confused and lacking in accountability (Conservative Party, 2006, p. 402).

The institutional complexity resulting from the rescaling and reform of UK planning is perhaps nowhere more evident than in the regeneration of the Thames Gateway, and the area offers a test of the continuing importance of traditional decision making. This regeneration programme, described by the U.K. National Audit Office as 'Western Europe's most ambitious' (National Audit Office, 2007b, p. 4), has the objectives of, by 2016, the creation of 180,000 new jobs and the building of at least 120,000 new homes (ODPM, 2005, p. 1). There are also plans for associated investment in infrastructure, including transport and health services. The Thames Gateway has been seen by many commentators as a testing ground for a regionalised, coordinated and integrated planning practice (Raco, 2005; Allmendinger and Haughton, 2007). The new planning system draws its legitimacy from the effectiveness of such multi-scale and cross-sector

coordination, from engaging local communities and achieving the sustainable development objectives written into recent reforms. However, we argue that decisions on large infrastructure projects draw on the more traditional legitimacy of ministerial decisions and the balancing of market demand and public interest in the public inquiry. Decision making on large projects reveals a market driven planning process engaging with traditional planning institutions, managing local interests and with apparently only limited scope for the more integrated, responsive style of planning imagined in recent reforms. We argue that these large projects inevitably circumscribe strategy making and the choices left to spatial planning.

We can see the reform of planning systems as part of an international trend moving away from traditional, regulatory instruments of government to a proliferation of new policy instruments and tools (Eliadis et al., 2005). But the process of redesigning governance is gradual and we should expect to find the innovative and the traditional to be working alongside each other. Our perspective in this paper is that traditional processes have played a significant part in decisions on large projects in the Thames Gateway. Governance reforms are also accompanied everywhere by concerns about transparency, accountability and the legitimacy of redesigned systems. The traditional, quasi-judicial mechanism of the planning inquiry system in the UK itself is currently being redesigned and in the final part of the paper we consider potential lessons from the London Gateway case for the future planning of large infrastructure projects.

In section 2, we review the aims and effects of the new planning system in England paying particular attention to questions about the legitimacy and accountability of planning. In sections 3 and 4, we then examine the institutional context of the London Gateway and the relationship between traditional and new forms of planning in this case. In section 5 we draw on studies of planning inquiry documents and interviews with actors involved in regeneration strategies in this part of the Thames Gateway. This is part of an ongoing programme of research concerning governance and sustainable development in the Thames Gateway area. The aim of moving towards more sustainable forms of development lies at the heart of recent U.K. planning reforms. The implications of the London Gateway case study for this objective are considered. In the concluding section the claims to legitimacy of traditional and new planning are discussed in the light of our findings.

2. TRADITIONAL AND NEW CLAIMS TO LEGITIMACY

The emergence of new forms of governance is often accompanied by a narrative suggesting a move away from 'traditional' planning (Allmendinger and Haughton, 2007; Peel and Lloyd, 2007). The traditional model is based upon hierarchical structures, within which decisions correspond to formal, legally defined scales of jurisdiction within clear, vertical boundaries. In the new planning, the emphasis is upon partnership and collaboration between different organisations and institutions, representing both the public and private sector. In the context of a more networked polity, horizontal interconnections emerge (Skelcher, 2005a). The new regional institutions for spatial planning in England can be identified as a case in point. Their role is intended to cut across the formal, jurisdictional boundaries of more established institutions and hence the boundaries across which they operate can become 'fuzzy' (Allmendinger and Haughton, 2007).

The legitimacy of the institutions for the new spatial planning can be identified as having three key sources. The first is enabling coordination and integration of decisions taken across different spatial scales and policy sectors, which has been identified as a key challenge for planners (ibid). Increased horizontal interactions and greater flexibility are suggested to lead to the 'joining up' of different strategies and an increased responsiveness to changing circumstances. Secondly, the new spatial planning places increased emphasis upon public participation. Healey, for example, argues that new spatial planning practices can facilitate collective action with progressive purpose (Healey, 2006). This is in contrast with the traditional legitimacy of more established public jurisdictional authorities where planning is understood as neutral mediation of the public interest. Thirdly, alongside this commitment to a more participatory approach, certain policy goals are also now given increased prominence in the stated objectives of spatial planning. Notably the need for 'sustainable development' has increasingly been stressed. Brundtland's definition of 'sustainable development' identified the need to consider environmental sustainability alongside social and economic factors (WCED, 1987). There has been much debate about the relative weight to be placed upon each of these three 'pillars' of sustainable development. Yet the very ambiguity of the concept can itself be viewed as enabling new discourses and practices to emerge (Evans and Jones, 2008) and hence the concept can serve as a source of legitimacy in various ways. Sustainable development is also frequently understood to require more active forms of citizen participation in public decision-making, including the planning process, if it is to be translated into practice (Häikiö, 2007). This is indicative of the close inter-linkages between coordination, participation and sustainable development as sources of legitimacy for the new planning.

In the U.K. case, those commentators suggesting that there has been a break with past styles of planning can point to a number of recent reforms. Notably, in 1999, Regional Development Agencies and Assemblies were established for nine English regions, at the same time as devolution for Northern Ireland, Scotland, Wales. Regional Assemblies were established in the U.K. in 1999 and are made up of members of local authorities and representatives from the business and voluntary sectors. While Regional Assemblies are responsible for producing Regional Spatial Strategies (RSS), the Regional Development Agencies are responsible for producing Regional Economic Strategies. A further reform was contained in the 2004 Planning and Compulsory Purchase Act. A new cross sector style of plan at local scale known as the Local Development Framework (LDF) was introduced, to be produced by local authorities. The planning system is consolidated by linking this LDF to the new RSS produced by Regional Assemblies. The authority of County councils has gradually diminished as the County Structure Plans that they used to produce have been superseded by this new structure of LDF and RSS. However, the counties tend to retain some powers in relation to minerals, waste, transport and act as agents for the new regional economic strategies.

The new planning has not yet entirely replaced the old, traditional model and, 'much of the real work of planning takes place outside the formal system for planning, but necessarily with strong linkages to it' (Allmendinger and Haughton, 2008, p. 27). Whilst much has changed, 'large aspects of planning remain at heart a land use regulatory function' (ibid, p. 8). Hence, 'formal planning systems are not being dismantled, indeed they provide a critical dimension of political legitimacy' (ibid, p. 16). In the case of Scotland, Peel and Lloyd argue that 'a constant re-assertion of the ethos or culture of planning so as to reflect the relatively more explicit pluralistic environment in the context

of modernisation'(Peel and Lloyd, 2007, p. 402) has to be seen alongside the continuing importance of the 'old standard legal view of the rule of law'.

The relationships between the traditional and 'new' forms of planning is not yet fixed. Additional reform of the regional scale is envisaged with the proposed transfer of regional plan making from Regional Assemblies to Regional Development Agencies (HM Treasury, 2007). This further reform has been promoted by both the continuing concern about the integration of regional strategies and the perceived unwillingness of Regional Assemblies to deliver the governments house building targets (Townsend, 2007). The range of emerging sub-regional and informal solutions to cross cutting and cross border issues also creates uncertainty in the new system. Planning practice may well therefore appear fragmented and, 'complex, multi-layered, fluid and sometimes fuzzy' (Allmendinger and Haughton, 2008, p. 3).

There is a need to assess the legitimacy of the planning system in this complex, changing context. In addition to issues of inclusion and participation, concerns are also raised about performance-led legitimacy, about legitimate demands for information and the obligation of new governance institutions to inform a wide public, and the jurisdictional autonomy of government at different scales. 'Old standard' forms of planning such as the public inquiry can themselves be understood as giving a voice to previously excluded interests which can contribute to a process of policy learning (Owens and Cowell, 2006, pp. 404-405) . A case in point is the presence and influence of critics of the 1990s U.K. road-building policy during a series of public inquiries. Our interest here is in analysing the interaction between these traditional planning practices and forms of legitimacy with the fluid and fuzzy products of recent reform. For, there is an important relationship between the soft, flexible, new planning and the legal legitimation provided through formal plans (Peel and Lloyd, 2007). On the one hand we can imagine that jurisdictional autonomy (Skelcher, 2005b) is being challenged by partnership working across sectors and scales. On the other hand if formal planning systems are still of key importance then there is cause for questioning the scope of the complex, multi scale spatial planning and their associated forms of legitimacy in relation to major decisions that give strategic direction to developments such as the regeneration programme in the Thames Gateway.

Reform of regional governance and spatial planning generates new challenges but these questions of accountability and legitimacy need to be located in the context of longer term arguments for and justifications of planning. Our interest is in exploring the relationship between traditional and new forms of planning by examining how the system is handling large projects. Such projects typically engage multiple spatial scales, often necessitate public inquiries and their impacts frequently generate controversy throughout the decision making process. We would expect the 'traditional' planning role of mediation of public interest to take precedence. Decisions may have far reaching spatio-temporal effects and we are interested in the impact of decisions arising through 'traditional' processes on the new complex, multi scale multi sector planning. In the case of substantial development projects, such as those in the Thames Gateway, their impacts inevitably constrain the scope for strategy making among the complex networks of new planning, bringing into question the legitimacy and purpose of this new style of planning. Indeed, as the U.K. government demands more emphasis on delivery in the Thames Gateway, the broader aim of spatial planning to achieve coordination and integration may itself become less important. The legitimacy of major decisions is of critical importance for the perceived success of the Thames Gateway and we suggest such decisions will engage both 'old standard' planning and new representations of

accountability and legitimacy. The 'old standard' public inquiry process for major infrastructure is under review (House of Commons, 2007a) and in the final section of the paper we consider lessons from large projects in the Thames Gateway for the proposed reform of major infrastructure planning.

3. SCALES AND STRATEGIES: THE INSTITUTIONAL CONTEXT FOR THE THAMES GATEWAY

Relationships between central government and the regional and local tiers in the Thames Gateway are undergoing continual change. The area crosses three English regions and spans 19 local authorities. Management of the area has always been complex and controversial. With the Thames Gateway project having been assigned a high priority by the U.K. government, the emphasis has moved from decision-making by local governments and development corporations to more centralised management. The 2003 Sustainable Communities Bill identified the Thames Gateway as one of four key growth areas for the U.K. (ODPM, 2005, p. 5) and different government ministers and central government officials have always been involved in overseeing the development of national strategy. In February 2003, it was proposed that a Cabinet Committee chaired by the Prime Minister would oversee the development of the Gateway. More recently, at national, ministerial level, responsibility for coordination of regeneration in the Thames Gateway has been through the Cabinet Committee on Housing and Planning (House of Commons, 2007b, p. 7). The Department for Communities and Local Government has also recently established a Thames Gateway Directorate. The governance of the Thames Gateway is further complicated by the array of sub- regional agencies, including Urban Development Corporations and the Olympic Development Authority with its own priorities concerning the development of the infrastructure required for the London 2012 Olympic Games.

In addition to the role of governmental departments in the regeneration of the gateway, notably the Departments of Communities and Local Government (DCLG, formerly ODPM), Transport (DfT) and Environment, Food and Rural Affairs (DEFRA), there are numerous governmental bodies with a role in the delivery of the Thames Gateway programme. The area straddles the boundary of three different regions, each with their own assembly and development agency (London, the East of England and the South East of England). In addition to the 19 local authorities within the Thames Gateway area¹, eight of which are London boroughs, numerous quasi non-governmental organisations have a variety of different roles in the project. Partnerships covering the London, Kent and South Essex areas within the gateway have been established and there are also two different Development Corporations (for London and Thurrock). These are all effectively forms of public-private partnerships - intended to facilitate coordination between local authorities, the private sector and other governmental and non-governmental organisations. Each of these different authorities has objectives in relation to sustainable development, as do the numerous other important governmental actors with a variety of roles in relation to development in the Thames Gateway, ranging from the Highways Agency to the Environment Agency and the Port of London Authority.

The role of central government in the face of this complex web of authorities and agencies has been the subject of significant criticism. In 2007, a report by the Public Accounts Committee on the Thames Gateway criticised DCLG for its 'weak' management (House of Commons, 2007b, p. 2). The Thames Gateway programme was argued to lack 'comprehensive', 'measurable' objectives and was suffering from an 'unclear' delivery chain (ibid, p. 2). In December 2007, in the wake of these criticisms and disagreements with the mayor of London Ken Livingstone, the director of the DCLG Thames Gateway Directorate, resigned (Planning, 2007, p. 1).

¹ This number does not include the Greater London Authority.

The rescaling of planning has, in the case of the Thames Gateway, created an over complex system with considerable managerial challenges. The reason why this system of overlapping and complex arrangements continues to function is, according to Allmendinger and Haughton, due to the 'meta governance' of central government departments and established ways of working (Allmendinger and Haughton, 2007). A guiding and controlling hand of central government sets targets for the numerous sub national agencies, specifies partnership arrangements between them and controls the funding of sub-national initiatives. Thus, from one perspective we may see a web of agencies struggling to steer Europe's biggest development project. However, another view draws us to the continuing presence of strong central direction, as is clearly visible in relation to large projects within the Thames Gateway.

4 THE LONDON GATEWAY PORT

The London Gateway port is to be the largest of all the new container ports in the U.K. We can locate the London Gateway project within multiple scales of governance from the local authority, a co-terminus Urban Development Corporation (UDC), Essex County Council, the Thames Gateway Directorate, and the Regional Development Agencies and Assemblies that divide the Thames Gateway area. The site of the port development is located on the north bank of the Thames estuary, outside of the boundary of the Greater London Authority, and falling within the East of England region. This site is situated within the boundaries of Thurrock District Council, a unitary authority in South Essex. The Thurrock Thames Gateway Development Corporation (TTGDC), a temporary body established in October 2003, now has responsibilities for planning large scale, strategic projects in Thurrock. The lifespan of TTGDC was originally to be until 2011 but in 2005 was extended until 2014. The original London Gateway planning application was made in 2002 before the establishment of the development corporation. The corporation has therefore only had a relatively minor role in the detailed implementation issues that have arisen since the development was approved. Some of the roads leading to the London Gateway site fall within the boundaries of Essex County Council who, as a consequence, have also been involved in the implementation of the decision.

The London Gateway is one of four 'economic transformers' that have been identified as being of key strategic importance for the regeneration of the Thames Gateway, with the other three sites being at Canary Wharf, Ebbsfleet and Stratford (DCLG, 2007b, pp. 24-27). Final approval of the London Gateway development in May 2007 is described as a 'turning point' (ibid, p. 2). The port will comprise up to seven container vessel berths and a roll-on roll-off facility along 2.7 km of quayside on the site of the former Shell oil refinery at Coryton (TTGDC, 2007b). The expectation is that the port, and a new logistics park to be built alongside it, will, together with warehousing, distribution and associated business, provide for some 14,000 new jobs by 2025 (DCLG, 2007a). The significance of the development will extend well beyond Thurrock itself. Although falling outside of the GLA boundary, the development clearly has important implications for London, both in terms of economic development and the transport infrastructure that it will require.

In the absence of a national ports policy the government's approach has been to react to proposals as and when they arise. In recent years this has led to a rejection of a container

port proposal at Dibden Bay, Southampton, in comparison to which the London Gateway proposal looks to some observers to be ‘suboptimal,’ (Asteris and Collins, 2007, p. 2280) as it would require shipping heading for the major ports on mainland Europe to make a detour.

Support for the London Gateway project can be found in planning documents produced by the regional and local tiers and for the Thames Gateway area. The draft regional spatial strategy for the East of England referred to Thames Gateway South Essex as being a ‘regional and national priority for regeneration and growth with the potential to make a major contribution to improvement of the region’s economy’ (EERA, 2004, p. 46). The London Gateway development was one of the ‘key influencing factors’ for achieving the ‘enhanced growth’ scenario by 2021 (ibid, p. 108). Similarly, the London Plan highlighted the need for additional port capacity (GLA, 2004, p. 15) and the ‘enormous’ economic and environmental impact of strategic transport investments such as the London Gateway (ibid, p. 109) that make a ‘valuable contribution to the regeneration of the Thames Gateway’ (ibid, p. 110). An amendment to the London Plan qualified this support by stating the need for increases in port capacity to be ‘supported by improvements in access and appropriate measures to minimise emissions’ (GLA, 2006a, pp. 131-132).

In terms of planning for the Thames Gateway sub-region, the London Thames Gateway Partnership (LTGP, 2001) refer to the strategic significance of the London Gateway in terms of economic growth and employment. The East London Sub-Regional Plan (GLA, 2006b, p. 10) also refers to the potential for jobs. Strategy documents published by Thurrock Council (Thurrock Council, 2003; 2007a; 2007b) and the Thames Gateway Development Corporation (TTGDC, 2005; 2007a; 2007c) similarly refer to the strategic significance of the London Gateway in terms of economic growth and employment.

Whilst these various strategy documents serve to highlight the significance of the London Gateway development they do little more than acknowledge the existence of the project. There is an absence of any specific discussion of the development in strategy documents prior to the original application to build the port being made by British Petroleum (BP) and Peninsular and Oriental Ferry Company (P&O) in 2002 (P&O was taken over by Dubai Ports, the current developers of the project, in the first quarter of 2006.) There was little or no involvement in the decision-making process from the Regional Development Agencies, whose strategies retrospectively acknowledge the significance of large scale infrastructure projects in general, and the London Gateway development in particular. The role of the East of England development agency in the London Gateway project has been relatively minimal, being confined to providing approximately £5000 of funding in support of the 2002 planning application. The Greater London Authority and the London Development Agency chose not to be involved in the public inquiry. The absence of strategy at national or regional scale suggests that the market interests of private sector actors were the initial driver for the development. Planning documents at various scales acknowledge the port project but without discussion of its desirability or impacts.

The planning application was referred to a public inquiry conducted by a planning inspector reporting to central government. The public inquiry is a long-established institutional mechanism for taking such decisions. As a planning institution, it might be labelled ‘traditional’ in that it takes the form of a quasi-court hearing. Evidence is heard

from the promoters, a range of governmental bodies, interest groups and experts with specialist knowledge before a final recommendation from the inspector is considered by a government minister at the top of the hierarchy of planning institutions. Three different forms of approval were required from central government. Orders from the Minister under the Transport and Works Act relating to rail transport and a harbour empowerment order were necessary. Planning approval for the logistics centre and business park was also required, a decision falling within the remit of the DCLG. Given the close-interrelationship between the three departmental decisions, central government decided that they would be taken in conjunction at a public inquiry, which ran between February and September 2003. Because of the need for transport infrastructure improvements identified by the inquiry, final approval was not given to the London Gateway port proposal until May 2007, by the Transport Minister. At this time, planning permission for the adjacent logistics centre and business park was also granted by the Department for Communities and Local Government (ITGDC, 2007b).

The public inquiry provides the forum for an extended debate about the impact of the project. The planning inspector and subsequently Secretary of State then make a judgement about the public interest. A number of different stakeholders, including some dissident voices, were present at the London Gateway inquiry. In this case, the inquiry can be said to have concerned itself with consideration of the balance between the economic benefits of the project in terms of increased employment and growth, environmental impacts in terms of improved transport infrastructure to support the development, and impacts on residents and others from impacts such as noise, the project's aesthetics and the implications for biodiversity. However, there remains scope for questioning the effectiveness of such a public inquiry in enabling a cross-cutting policy objective such as sustainable development to be attained.

5 MANAGING MARKET EXTERNALITIES – TRANSPORT PLANNING AND SUSTAINABLE DEVELOPMENT

Although the objective of sustainability has been upheld as a motive for recent reforms of the planning system, it is widely considered to have often remained elusive in practice. A recent National Audit Office report comments that the Government's vision for Thames Gateway serving as an exemplar of sustainable development has created high expectations. However, the report adds that 'there remains a great deal to do to translate many of the aspirations into clear and quantifiable objectives against which progress can be measured and to develop appropriate levers to achieve them' (National Audit Office, 2007a, p. 5). Transport policy is of integral importance for ensuring more sustainable forms of development. However, the NAO note that an 'overall transport strategy for the Thames Gateway does not exist, and local modelling of the effects of development is only now being put in place for some of the strategic sites' (ibid, p. 31).

Considerations of sustainability motivated the criticisms made at the London Gateway public inquiry by a number of opponents who emphasised the lack of a formal national and regional framework for taking the decision (LGPI, 2003). Under both new and old planning arrangements, markets are of course an important driver of large developments. Indeed, the U.K. governments' policy document 'Modern Ports' (DfT, 2000) makes quite clear that the market will be allowed to determine when development proposals come forward (SEAPLAG, 2002). Each forthcoming proposal is then to be assessed individually by the planning system, which in the case of such large infrastructure

projects takes the form of a public inquiry reporting to central government. In keeping with this market-orientated approach, as is made explicit in the final report, the London Gateway public inquiry did not seek to compare the location of London Gateway to other possible sites in the U.K. The report acknowledges that the different possible U.K. sites for such a port are in 'sensitive areas' as well as offering 'differing accessibility to markets.' The report remarks that the degree to which these alternatives 'offer sustainable distribution opportunities and fit to regional policy will differ.' It is further noted that 'several participants in the inquiry, and notably two MPs with constituencies in the locality, considered that there was a need for the Government to take an overview of the various proposals, to ensure that the needs were met in the most sustainable way overall' (DfT, 2003a section 3.61). Yet it is made clear that it was beyond the remit of the inquiry to make such a comparative assessment. As the report states, the evidence required for such a comparative assessment of the alternative sites in terms of such sustainability criteria was not available to the inquiry (ibid section 3.62). Instead, the market process and the interests of the private sector, notably the applicants P&O and Shell, were relied upon to perform the coordinative function of assessing alternative possible sites for the port. As is widely acknowledged, many of the social and environmental costs of such developments are externalised by the market process. A variety of such potential externalities in the London Gateway case were discussed by the inquiry. For example, the Strategic Rail Authority disputed whether there would be sufficient infrastructure to support their targets for transporting freight by rail. How effectively the inquiry addressed such concerns remains to be seen. However, in relation to broader questions about the meaning and implications of sustainable development, it is clear that the inspector deferred to central government policy. The report states:

'Some objectors raise the understandable criticism that the business of overseas trade and the allied distribution within the UK is so dependent upon transport that in itself it cannot be sustainable. ... The issue of the extent to which it is sustainable to engage in world trade is not for me to consider, but on the basis that trading is to be encouraged within the Government's policies of sustainable development, then the proposals appear to me to meet the Government's policies for sustainable distribution' (ibid section 12.2.8).

The traditional mechanism of the public inquiry thus makes explicit the limitations of its remit with respect to the broader, cross cutting policy challenge of operationalising sustainable development. A more horizontally integrated spatial planning envisaged in recent planning reforms might be better suited to securing such an objective. However, it was a traditional form of decision-making by central government that crucially determined the outcome in the case of the London Gateway proposal.

The limitations of the decision-making role of other governmental authorities and stakeholders in the process can be highlighted, for example, in relation to the challenge of attaining the explicitly stated government objective of establishing adequate transport infrastructure for the development. As has been the case in relation to other development projects in the Thames Gateway, such as the proposed housing developments at Ebbsfleet (National Audit Office, 2007a, pp. 56-57), there has been particular concern about the transport impact of London Gateway. As the draft RSS for the East of England indicated, there is a need for improved road and rail access to London Gateway (EERA, 2004, p. 141). At the Examination in Public into amendments to the London Plan, the East of England Regional Assembly stated that 'priority should be given to the efficient and sustainable movement of freight and in particular to seeking

to increase the proportion of the region's freight carried on rail and by water' (GLA, 2007, p. 4).

In the London Gateway case, the Strategic Rail Authority expressed concern that the existing rail infrastructure would be unable to satisfy their objectives that involve increasing the proportion of freight that is distributed by rail (DfT, 2003a Section 6B). As the inquiry report makes clear, establishing the proportions of port freight which can be distributed through existing and planned rail infrastructure involves considerable complexity and uncertainty (DfT, 2003b; 2003a). The inquiry sought to assess the capacity of existing rail infrastructure to transport an approximate 25% share port freight. This, it is explained, would be similar the capacity of competitor ports such as Southampton and Felixstowe (DfT, 2003bSection 6.8.6). The decision reached was that, at this early stage, there was insufficient evidence to show that such a target required further enhancements to the rail infrastructure. While it is acknowledged that future upgrades might be necessary to maintain and improve upon such a share of freight traffic, the inspector ultimately defers to the future decision of the Secretary of State for Transport on this matter (DfT, 2003aSection 6.153)

The Thurrock Transport Plan warns of the challenge posed by increasing road traffic levels in the area (Thurrock Council, 2006 Section 3.3) and identifies the London Gateway as the most significant development in the borough in terms of its impact upon transport infrastructure (ibid: Section 1.7). The question of road infrastructure was discussed in considerable detail at the public inquiry. Indeed, the public inquiry established a set of road infrastructure requirements, which needed to be met in order for final approval to be given to the application². Hence, in July 2005, the Secretary of State for Transport issued a 'minded to' decision, indicating that the application was approved subject to these conditions being met. Further consultation was undertaken before a further such 'minded to' decision was issued in August 2006. In order to meet these conditions relating to transport infrastructure, a section 106 agreement was established, which, under the British planning system specifies the necessary preconditions to be met by the developer before an application is approved. Dubai Ports World, London Gateway's new promoters, were required to make an investment of tens of millions of pounds in road infrastructure (Regeneration and Renewal, 2007). Key elements of the agreement included the enhancement of junction 30 on the M25 motorway, improvement to parts of the A1014, and payments to the three parties that own portions of the A13 affected by the port: the Highways Agency, Essex County Council and Thurrock Borough Council (ibid). The local authorities of Thurrock District and Essex County Councils have been actively involved in delivering these road upgrades. However, their role has been closely circumscribed by the terms of the section 106 agreements that they are charged with implementing. Whether this programme of road upgrades will be sufficient to support the extra road traffic resulting from the development gave concern to objectors at the inquiry and the outcome remains to be seen.

Through the inquiry process a traditional style of planning negotiates the public interest, balancing economic benefits and environmental costs. In the case of London Gateway, discussion focussed upon a number of different market externalities, of which the need to ensure adequate transport infrastructure for the development is a key example. The process of transport planning and investment was controlled by central government

² These conditions specifically concerned the need for a detailed travel strategy to control the impact of extra traffic on the Dartford river crossing.

through the public inquiry, with regional and local planning authorities having little autonomy to act on this issue. Instead, the function of regional and local strategies can be seen as managing the consequences of decisions on large scale infrastructure projects which are taken elsewhere.

6. CONCLUSION

Traditional planning thus performed a decisive role in the complex meta governance of the Thames Gateway. Key decisions regarding large scale projects, particularly those involving transport infrastructure, such as the London Gateway port, continue to be managed by traditional methods such as the public inquiry, with central government departments responsible for funding arrangements, operating alongside the relatively limited local negotiation of Section 106 benefits. The formal planning system and ‘old standard view’ of the neutral mediation of public interest through the planning inquiry has a great part in defining the scope for more fluid and pluralistic institutions emerging through recent reforms. The influence of the new, less formal, networks operating at the local and regional scales is thus constrained by more established forms of decision-making. We might agree with those analysts who describe the ‘meta-governance’ through which governmental hierarchies continue to coordinate complex local and regional governance (for example Whitehead, 2003) and Allmendinger and Haughton’s view of the ‘meta governance’ of central management of local decisions (Allmendinger and Haughton, 2008). But central government does more than orchestrate the regional and local scales. Big decisions are taken at the centre. Public interest was defined through the inquiry process rather than through the more plural approach and community participation envisaged in spatial planning.

The high priority assigned to economic growth, or ‘economic efficiency’ in the regulatory planning system is noted by Peel and Lloyd (Peel and Lloyd, 2007, pp. 400-401). They argue that the speed and efficiency of traditional institutional forms of planning makes them well suited to ensuring that the planning process facilitates the privileging of such market-orientated objectives. Peel and Lloyd describe the current system in Scotland as ‘neo-traditional’, in that the drive for efficiency is accompanied by a strong emphasis upon the importance of public participation. It is recognised, they point out, that planning decisions require consideration of a wide plurality of different values and perspectives. The aim of providing greater scope for participation potentially conflicts with the commitment to economic growth and so there is a significant potential tension between these two aspects of ‘neo-traditionalism.’ The evidence offered here provides some support for such an analysis, but suggests that the traditional and the new may work in parallel or in sequence without the merging of ideological strands that the label ‘neo-traditional’ suggests. In relation to the London Gateway port, the economic growth agenda can be seen to have largely eclipsed any considerations of opening up the planning process to new forms of participation or wider discussion of sustainability. The importance of the market in the London Gateway case in shaping and delivering strategic objectives might also be indicative of a more general approach to the development of economic ‘transformers’.

The UK government began a process of review of the system for determining major infrastructure projects in 2007. The reform aims to strengthen accountability in a new process ‘with sustainable development at its heart’(House of Commons, 2007a, p. 7). In contrast to the London Gateway experience consideration of a statement of national

policy would precede any decision on an individual project. The proposed reforms promise an open consultative process on 'national policy statements'. Whether or not a policy statement on ports would endeavour to lead the market or merely encourage projects in particular regions remains to be seen. But what objectors at the London gateway inquiry might have gained in terms of a wider discussion of the public interest and sustainability they may lose through proposals to limit representations at inquiries into specific projects. The 'status' (Swyngedouw, 2005) of ordinary objectors would not be the same as that of promoters or other major parties. Whilst the proposed reforms aimed to remove final decisions from ministerial decision, in practice, as we have seen in the London Gateway case, government departments will have related decisions to make, over transport expenditure for example, and thus retain central political control. It is certainly not the intention of the proposed reforms to move decision making closer to the regional and local scale and the complex and overlapping networks of spatial planning. Whilst the definition of public interest may happen in a new formal arena, breaking with the 'traditional', adversarial public inquiry, this process will be divorced from the more flexible, pluralism of spatial planning. New instruments of governance will work alongside the recently redesigned planning system.

The London Gateway case shows a hierarchical, formal regulatory planning approach limiting the scope of the complex institutions and cross-cutting agendas of the new planning system. There are two potentially conflicting, planning processes deploying old and new ideologies in search of legitimacy for the Thames Gateway project as a whole. We might see traditional planning as slowly being replaced by new practices, but the continuation of a separate decision process for large projects suggests that definitions of sustainable development, participation and good planning are unlikely to become stabilised.

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